



MINUTES
Planning Commission Meeting
Monday, April 27, 2020 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: None

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

MEDIA PRESENT: None

1. Meeting Format Notice

Note: The Planning Commission will conduct this meeting electronically using the Zoom video conference platform. Members of the public may listen, view, and/or participate in this meeting using Zoom. Using Zoom is free of charge. See the instructions below:

Please click the link below to join the webinar:

<https://zoom.us/j/91608570209>

Or Telephone:

+1 669-900-6833

Webinar ID: 916 0857 0209

International numbers available: <https://zoom.us/u/aZ1TGYdoJ>

2. Roll Call

3. Approval of Minutes

3.1. Draft Planning Commission Minutes February 24, 2020

Motion: To approve minutes for February 24, 2020 with modification on page two to read February 24, 2021 instead of February 24, 2020.

Moved By: Commissioner Mayton
Seconded By: Commissioner Mobley
Yes votes: All Ayes
No votes: None
Abstentions: Commission Carlton
The motion passed.

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

None

5. Public Comment

This meeting will include **two public hearings**. If you would like to offer testimony during the hearings, see the instructions below:

Testimony for each public hearing will be called for in three groups: testimony in favor of the proposal, testimony opposed to the proposal, and neutral testimony.

If you are participating online, click the "raise hand" button at the appropriate time and wait to be recognized.

If you are participating via telephone, dial *9 to "raise your hand" at the appropriate time and wait to be recognized.

If you choose to submit testimony in written form, please send to planning@ci.sandy.or.us as soon as possible.

Thank you for your flexibility during the COVID-19 public health emergency. Please call City Hall with any questions: (503) 668-5533.

6. NEW BUSINESS

6.1. Sandy Vault Modification (19-046 MOD/VAR/DEV):

Chairman Crosby opened the public hearing on File No. 19-046 MOD/VAR/DEV at 7:12 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. Commissioner Mayton stated he was not on the Commission when the original decision for Sandy Vault was made in 2019 but has read all of the information and feels comfortable in participating in the hearing.

Staff Report:

Senior Planner Emily Meharg summarized the staff report (i.e. the request), location of the proposal, and explained the difference between the original approval in 2019 and the modification before the Planning Commission. Commissioners Carlton, MacLean-Wenzel, and Mayton asked clarifying questions.

Applicant Testimony:

Tim Brunner
Owner of Axis Design Group
52 NW 2nd Street
Gresham, OR 97030

Mr. Brunner explained the site layout, showed the facades that address the public realm, and explained that the original approval from 2019 was not financeable according to banks Mr. Benson visited. The presentation included slides showing the site, building elevations relative to the site and surrounding streets, and proposed landscaping. Commissioner Mayton asked a clarifying question.

Emily Meharg shared a picture of the proposed metal siding. Commissioner Carlton asked a question about the metal siding. Mr. Brunner stated the metal siding finish will meet the approved color palette.

Proponent Testimony:

None

Opponent Testimony:

None

Neutral Testimony:

None

Staff Recap:

Meharg stated the code is clear it only wants metal siding as an accent. Activated frontages are not tied to frontages. O'Neill stated that the storage units should be denied as they do not meet the design code and also could block an existing easement. A question was asked how long the applicant would wait until reapplying for the storage units. Attorney David Doughman said he would have to review the development code.

Applicant Rebuttal:

Mark Benson
PO Box 241057
Honolulu, HI 96824

Contractors from the east side of the Portland Metro Area and local lenders will also be used. The development will create additional tax revenue.

Tim Brunner
Owner of Axis Design Group
52 NW 2nd Street
Gresham, OR 97030

Mr. Brunner stated the applicant is trying to enhance the sides of the buildings that are visible from Industrial Way and Champion Way.

Discussion:

Commissioner Carlton stated the code has requirements that shall be followed. If the commission grants variances we need to explain why we are allowing them. Commissioner Maclean-Wenzel said she was looking for more rationale than to have a 'bankable' building. Commissioner Mayton said that the code is not a one size fits all approach and we should consider unique aspects of different sites. Commissioner Lesowski said that the previous approval was very exhaustive, and the Commission made significant allowances. Commissioner Mobley said we should analyze the proposal further. Commissioner Logan said we did significant review and should relate the proposal to Chapter 17.66. Commissioner Carlton stated that past approvals were very detailed. Commissioner Mayton stated that the commission should review the code, but keep in mind flexibility in site design and building design. Commissioner Maclean-Wenzel stated that most building facades are not that big of a concern, but the north side of Building 1 should be articulated and designed more robust. Commissioner Mayton stated that north façade of Building 1 should be designed as previously approved. He also stated that he has concerns about existing vegetation remaining. Commissioner Logan stated that the north façade of Building 1 appears lower than was previously detailed. Commissioner Lesowski stated the north façade of Building 1 should remain as previously approved but is not against other elevation revisions. Commissioner Carlton mentioned Chapter 17.66 and how the proposal does and doesn't meet the criteria in Chapter 17.66. Chairman Crosby stated the code states one of the code criteria needs to be met, not all of the criteria. Meharg and Doughman stated you only have to meet one of the criteria in Section 17.66.80. Chairman Crosby stated that Criteria A. in Section 17.66.80 is the most applicable to the proposal. Doughman said the special variance criteria are unique to Sandy and the approval/denial of special variances should be tied to the criteria. Doughman stated that the decision

made with this application will not impact future applications but future applicants could reference this decision as a basis for their request. Commissioner Carlton read the preamble and stated that 'financially viable' is not an appropriate reason to approve a variance. Commissioner Mayton provided a recap of the four requests.

Kelly O'Neill Jr. stated that Mr. Brunner had his hand raised. Commissioner Lesowski and Crosby stated they should walk through the different proposals from the applicant. Doughman stated per Section 17.18.90 the applicant could submit a new application for the 34 modular units, and not necessarily wait for one year. Chairman Crosby stated the commission could make a finding that the modular units were not applied for. Doughman stated the 34 modular units were not included in the application. There was consensus that the 34 modular units did not contain adequate information for review and therefore a finding shall be made that the 34 modular units were not approved.

The commissioners discussed the different buildings and the proposed materials and changes to the elevations and came to the following conclusions:

Building 1:

North façade needs to stay as previously approved in File No. 18-047.
South façade modifications for metal are approved.
West façade modifications for metal are approved.
East façade needs to stay as previously approved in File No. 18-047.

Building 2:

North façade modifications for metal are approved.
South façade needs to stay as previously approved in File No. 18-047.
West façade modifications for metal are approved.
East façade modifications for metal are approved.

Building 3:

North façade needs to stay as previously approved in File No. 18-047.
South façade modifications for metal are approved.
West façade needs to stay as previously approved in File No. 18-047.
East façade modifications for metal are approved.

Building 4:

North façade modifications for metal are approved, but the parapet height needs to remain the same on the west end of Building 4 as the south

elevation.

South façade needs to stay as previously approved in File No. 18-047.

West façade needs to stay as previously approved in File No. 18-047.

East façade modifications for metal are approved.

Motion: Motion to close the public hearing at 9:32 p.m.

Moved By: Commissioner Carlton

Seconded By: Commissioner Mayton

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

No votes: None

Abstentions: None

The motion passed at 9:32 p.m.

Meharg asked clarifications on the window percentage changes to Buildings 3 and 4. The commissioners stated that they were no longer going to require an additional window on the west elevations of Buildings 3 and 4 as previously conditioned in File No. 18-047.

Motion: Motion to approve the modifications to the Sandy Vault facility for metal siding as summarized by staff, to deny the requested changes to activated frontages on Buildings 1 and 4, to deny the requested decrease in percent windows on Buildings 1 and 4, and to add a finding that the 34 modular units were not reviewed and therefore not approved.

Moved By: Commissioner Mayton

Seconded By: Commissioner Lesowski

Commissioners Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley, Mayton, and Crosby.

No votes: None

Abstentions: None

The motion passed at 9:42 p.m.

5-minute recess

6.2. Trillium Machine (19-017 DR/VAR/DEV/TREE):

Chairman Crosby opened the public hearing on File No. 19-017 DR/VAR/DEV/TREE at 9:47 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, deviation and variance requests, and other proposed site features. Also, Meharg clarified that the proposal is in the I-2 zoning district which has less stringent design criteria than the I-1 zoning district as was analyzed in the Sandy Vault public hearing.

Applicant Testimony:

Jeffrey Beeson
Gallant Construction
PO Box 181
Banks, OR 97106

Mr. Beeson cited code sections in the staff report and why specific requests by the applicant were made. He stated the office portion of the new building is a separate structure than the large steel structure and wanted to know if that still qualified as a door to the interior of the building. Most of the proposal for the new building is to match the existing building. The applicant does not see an issue with meeting the color palette requirements for the roof and exterior walls. Mr. Beeson asked if an awning over the door on the north side of the building would be needed as it is an emergency exit only. There was also information regarding the existing trees and the proposal regarding installing a sidewalk. Mr. Beeson asked for a reduced sidewalk width of 4 feet.

Proponent Testimony:

None

Opponent Testimony:

None

Neutral Testimony:

None

Staff Recap:

Meharg stated that the door to the office is fine as the door to the interior. The code speaks more to the path from the right-of-way to the building. Not providing a pedestrian cover over the emergency exit should not be much of a problem. Some of the trees will need to be removed from the vegetated area along Industrial Way. The Public Works Director stated that the applicant can work with Public Works on alternative sidewalk alignment or planter strip width to preserve existing healthy trees.

Applicant Rebuttal:

Jeffrey Beeson said that he did not have anything additional.

Neil Smits
Owner of Trillium Machine
36535 Industrial Way
Sandy, OR 97055

Has owned Trillium Machine for some time now. Likes Sandy and believes the expansion to his site will help in the future.

Discussion:

Commissioner Carlton and Commissioner Lesowski asked what siding colors could be proposed. Mr. Beeson said they will order metal that is pre-painted. Chairman Crosby asked questions regarding the sidewalk width. O'Neill stated the Commission could condition that Public Works work with the applicant regarding sidewalk width and planter strip width.

Commissioner Lesowski asked questions regarding articulation. O'Neill stated that Section 17.90.130 was not updated when the Sandy Style was adopted, and the code section still has some old provisions that were not updated accordingly. Commissioner Carlton stated that the building could have several different wall colors that would provide differences in the wall elevations.

Commissioner Carlton asked a clarification about the planter strip.

Motion: Motion to close the public hearing at 10:36 p.m.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Logan

Commissioners Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley, Mayton, and Crosby.

No votes: None

Abstentions: None

The motion passed at 10:37 p.m.

Commissioner Carlton asked if the emergency exit should have an awning cover. The commissioners discussed the merits of the door awnings and determined that a pedestrian awning above the emergency only exit on the north elevation is not required.

Motion: Motion to approve the request with the findings of fact and staff

recommendations.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Mayton

Commissioners Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley, Mayton,
and Crosby.

No votes: None

Abstentions: None

The motion passed at 10:42 p.m.

7. Items from Commission and Staff

The next Planning Commission hearing is Wednesday May 27, 2020, then the following meeting will be Tuesday June 30, 2020.

Crosby asked if staff could add bookmarks to staff reports in the PDF file. O'Neill stated they will try to add bookmarks. The May meeting will most likely be via Zoom.

8. Adjourn

Motion: To adjourn

Moved By: Commissioner Lesowski

Seconded By: Commissioner Maclean-Wenzel

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Chairman Crosby adjourned the meeting at 10:46 p.m.



Chair, Jerry Crosby

A handwritten signature in blue ink, appearing to read "Kelly O'Neill Jr.", is centered on the page. The signature is fluid and cursive.

Planning Director, Kelly O'Neill Jr