



CITY OF SWEET HOME PLANNING COMMISSION AGENDA

September 21, 2020, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

6:30

Roll Call of Commissioners

Chairman Parker:	Present
Commissioner Wolthuis:	Present
Commissioner Gatchell:	Absent
Commissioner Stephens:	Present
Commissioner Journey:	Present
Commissioner Korn:	Present
Commissioner Unger:	Absent

Staff: Blair Larsen, CEDD Director; Angela Clegg, Associate Planner; Joe Graybill, Staff Engineer

Visitors: Jon & Corina Mears, 4196 Long Street, Sweet Home, OR 97386
David Barringer, 1010 Northside Drive, Sweet Home, OR 97386
Gay Emmert, PO Box 225, Foster, OR 97345
Duane & Claire Edmonson, 1299 41st Street, Sweet Home, OR 97386
Cindy Farrell, 4126 Long Street, Sweet Home, OR 97386
Gayle Lloyd, 4204 Long Street, Sweet Home, OR 97386

Public Comment.

None

Meeting Minutes: August 3, 2020

Commissioners Comments: None

Commissioner Journey moved to approve the August 2020 meeting minutes as presented.

Commissioner _Korn seconded the motion to approve the meeting minutes as presented.

Question was called by roll call vote:

Chairman Parker:	Aye
Commissioner Wolthuis:	Aye
Commissioner Gatchell:	Absent
Commissioner Stephens:	Aye
Commissioner Journey:	Aye

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

Commissioner Korn: Aye
Commissioner Unger: Absent

Motion Passed (5) Ayes to (0) Nays, (2) Absent

Public Hearings

Application CU20-04: The applicant is requesting a conditional use permit in order to apply for a Property Line Adjustment and construct a 40-foot by 50-foot building. The construction of governmental structures or governmental land use shall be through a conditional use permit [SHMC 17.32.030(B)]. The property is proposed to be used as it is currently, with a storage building for vehicles and equipment. The subject property contains approximately 138,833 square feet and is in the Commercial Central (C-1) Zone. Application CU20-04 is pending the Administrative Decision of the Property Line Adjustment Application PLA20-11, filed simultaneously.

PUBLIC HEARING OPENED AT 6:34 PM

Chairman Parker read the description of the application and the Planning Commission criteria.

The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

Personal Bias: None
Conflict of Interest: None
Exparte Information: None

Comments/Discussion:

Clegg read the staff report

Applicant Testimony: 6:45

Dave Barringer spoke in defense of the application.

Testimony in Favor: none
Testimony in Opposition: none
Neutral Testimony: none
Rebuttal: none

PUBLIC HEARING CLOSED AT 6:47 PM

Commissioners Discussion:

No comments

Commissioner Stephens moved to approve application CU20-04 and thereby permit the Conditional Use Permit, adopting the findings of fact listed in Attachment A of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.

Commissioner Wothuis seconded the motion to approve.

Question was called by roll call vote:

Chairman Parker:	Aye
Commissioner Wolthuis:	Aye
Commissioner Gatchell:	Absent
Commissioner Stephens:	Aye
Commissioner Journey:	Aye
Commissioner Korn:	Aye
Commissioner Unger:	Absent

Motion Passed (5) Ayes to (0) Nays, (2) Absent

Application SD20-01: The applicant is requesting to subdivide an approximately 13.57-acre property into fifty-four lots ranging from 5,158 to 9,605 square feet. 3.04 acres are proposed to be dedicated to the City of Sweet Home for public right-of-way improvement and 2.48 acres are to be retained as open space for wetland preservation, stormwater detention and a drainage ditch. The subject property is in the Residential High Density (R-2) Zone.

PUBLIC HEARING OPENED AT 6:49 PM

Chairman Parker read the description of the application and the Planning Commission criteria.

The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

Personal Bias: None

Conflict of Interest: None

Exparte Information: Eva drove into Duck Hollow I & II, Henry participated in the previous applicationNone

Comments/Discussion:

Clegg read the staff report

Commissioners had no comments for staff.

Applicant's Testimony: 7:20ish

Technical difficulties with the live stream and audio.

Testified on behalf of their application. Spoke to the conditions of approval.

Commissioners Comments:

Eva's asked question regarding the division of infrastructure and home building. Brian Vendetta answered. Eva asks about recreation areas for families. Brian answered toward the code. Laura spoke to the recreation activities and connectivity between the subdivisions

Henry asks about the street names and why they aren't consistent. Joe answered about the street naming and the reasons for the naming in this area. Spoke to discouraging multiple similar street names.

Greg S asked about an HOA. Joe states that it is not required to have an HOA. Brian vendetta spoke to their position on an HOA. Brian presented other options other than an HOA. Asked if it becomes a condition to have it be flexible and possible work with staff to create an agreement to take care of the tracts in the same way as an HOA. Blair explained the statement due to some feedback issues.

Henry agreed with greg about other areas that haven't been taken care of in the history of other area in the City.

Parker asked for consistency for map wording. Brian agreed to the terms.

Testimony in Favor: none 7:11 7:42

Testimony in Opposition: none 7:42

Neutral Testimony: Cindy 7:43

Concerned about the wetland areas properly being take care and kids getting into it.

Made a statement about the former phases having an HOA

Karina concerned about the wetlands being maintained and managed and someone being held accountable for it.

Gail concerned about a road going down the property. What will the setbacks be for the easements, sidewalks, etc? Concerned about sidewalks and when they must be put in.

Joe replied to Gail regarding the sidewalks. Blair and Joe discussed that more development makes it better for grant applications.

Blair addresses the fence issue and told the speaker that he will get them in touch with the developer. Gail expressed a desire to work with the developer.

Rebuttal: 7:56

Brian spoke to the maintenance of the wetlands. Developer agreed to an HOA unless staff finds another way to provide an agreement.

The developer is willing to meet with the neighboring owners on the fencing and trees.

PUBLIC HEARING CLOSED AT 7:58 PM

Commissioners Discussion:

Parker discussed the HOA discussion. Stephens states that he doesn't need an HOA as long as there is some sort of agreement in place for the maintenance.

Blair and Angela spoke to the mitigation and maintenance of the wetlands through the DSL permitting

Henry stated that he feels that more conditions need to be states.

Eva made comments.

Add Conditionals of Approvals 10 & 11

Parker wants a to see 42nd avenue roughed in foe Phase I construction purchases. Joe said that it can be stated as a condition. There was a discussion about the utilities going in of they put in gravel road foe temporary use.

Commissioner Korn moved to approve application SD20-01 and thereby permit the Subdivision application, adopting the findings of fact listed in Attachment A of the staff report, including the 24 months for the 1st & 2nd phase, addition of COA 10 & 11, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.

Commissioner Journey seconded the motion to approve.

Question was called by roll call vote:

Chairman Parker:	Aye
Commissioner Wolthuis:	Aye
Commissioner Gatchell:	Absent
Commissioner Stephens:	Aye
Commissioner Journey:	Aye
Commissioner Korn:	Aye
Commissioner Unger:	Absent

Motion Passed (5) Ayes to (0) Nays, (2) Absent

Staff Updates on Planning Projects:

8:23

Development Code Updates

Blair spoke about the development code update.

Pending Applications

P19-07 City of Sweet Home 24th Avenue – On Hold
PLA20-11 Barringer fire station, pending CU20-04
CU20-05 Bradford 23rd Avenue, Notice sent last Friday
P20-08 Brown 4647 Kalmia, Notice sent last Friday
P20-09 Morelli Tamarack, application in review

October Planning Commission Meeting – nothing on the schedule.

Henry voted & Korn seconded, unanimous vote.

Blair discussed the apartment complex at Long street.

Stephens

Planning Commissioner Comments:

8:30ish

Parker and Eva asked about green spaces into new code and requiring a certain amount of green space per so many units. Blair stated that it can be suggested in the new code. Further discussion went on about the feedback criteria. Parker would like to see some sort of example.

Adjournment

8:38.

Persons interested in commenting on these issues should submit testimony in writing to the Community and Economic Development Department Office located in City Hall prior to the hearing or attend the meeting and give testimony verbally. Persons who wish to testify will be given the opportunity to do so by the Chair of the Commission at the Planning Commission meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend

The failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost. Please contact the Community and Economic Development Department at 3225 Main Street, Sweet Home, Oregon 97386; Phone: (541) 367-8113.

Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually
- Review Hearing Procedure (SHMC 17.12.130)
- Hearing Disclosure Statement (ORS 197.763)
 - At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:

READ: “The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.”

- Declarations by the Commission:
 - Personal Bias - Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
 - Conflict of Interest - Does any member of the Commission or their immediate family have any financial or other interests in the application that has to be disclosed.
 - Ex Parte Information - The Planning Commission is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Planning Commission has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Planning Commission is aware of it. In that way it can be rebutted and can be discussed openly.
- Staff Report
 - Review of application
 - Discussion of relative Criteria that must be used
 - During this presentation the members of the Planning Commission may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony
 - Applicant's Testimony
 - Proponents' Testimony
 - Testimony from those wishing to speak in favor of the application
 - Opponents' Testimony
 - Testimony from those wishing to speak in opposition of the application
 - Neutral Testimony
 - Testimony from those that are neither in favor nor in opposition of the application.
 - Rebuttal
- Close Public Hearing
- Discussion and Decision among Planning Commissioners
 - Motion
 - Approval
 - Denial
 - Approval with Conditions
 - Continue
- If there is an objection to a decision it can be appealed to the City Council. The Planning Commission shall set the number of days for the appeal period. At the time the City Council goes through the Public Hearing Process all over again.
 - Recommendation made by Planning Commission—City Council makes final decision.

If you have a question, please wait until appropriate time and then direct your questions to the Planning Commission. Please speak one at a time so the recorder knows who is speaking.