



UNOFFICIAL

Tualatin Planning Commission

MINUTES OF November 19, 2020

TPC MEMBERS PRESENT:

William Beers, Chair
Mona St. Clair, Vice Chair
Commissioner Alan Aplin
Commissioner Janelle Thompson
Commissioner Daniel Bachhuber
Commissioner Ursula Kuhn
Commissioner Mitch Greene

STAFF PRESENT

Steve Koper
Tabitha Boschetti
Erin Engman

1. CALL TO ORDER AND ROLL CALL:

Chair Beers called the meeting to order 6:30 PM and reviewed the agenda. Roll call was taken.

2. ANNOUNCEMENTS AND PLANNING COMMISSION COMMUNICATION

Chair Beers provided a report of the Planning Commission's recommendation to the City Council on the Cannabis Code Plan Text Amendment (PTA 20-0003). The Council voted to adopt the originally proposed version of the code amendments not that made by the Planning Commission. Two Councilors (Grimes and Morrison) were against. Chair Beers was asked questions about the Planning Commission's recommendations by several of the Councilors. Chair Beers discussed the split nature of the Planning Commission and the decision to send a compromise amendment to the Council. Chair Beers also noted that there was public testimony against the amendments by Council-elect Hillier and testimony in favor provided by Western Oregon Dispensaries.

3. REVIEW OF MINUTES:

Chair Beers asked for approval of the TPC minutes dated October 15, 2020, with a minor correction. MOTION by Commissioner Green. SECONDED by Commissioner Thompson to approve the minutes as amended. MOTION PASSED 7-0.

4. ACTION ITEMS

Banfield Pet Clinic Conditional Use Permit (CUP 20-0001)

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

Chair Beers provided a summary of the application. The proposal is for a 2,900 square foot veterinary clinic located at 7975 SW Nyberg Street.

Erin Engman, Associate Planner presented the staff report for the proposed Conditional Use Permit CUP. Ms. Engman first presented information about the site – a 1.21 acre portion of a 31.91 acre greater site located at the Nyberg Rivers shopping center, which is zoned Central Commercial (CC). The site and surrounding area are fully developed, and thus no site improvements are required or proposed. Ms. Engman outlined the CUP criteria found in TDC 33.040, and noted that the proposed application satisfies the applicable criteria, which include a requirement that it be processed as a Type III application, requiring the subject hearing before the Planning Commission. Ms. Engman further noted that the proposed use, a Veterinary Clinic is listed as permitted conditionally in the CC zone by Table 53-1 of the TDC. All improvements proposed are to the interior of the existing building. Ms. Engman noted that conditional use compatibility criteria identified in TDC 33.040(5) have been satisfied, as identified in the Findings which are Attachment 1 of the packet. Ms. Engman concluded with a recommendation that the Planning Commission approve the application subject to recommended Conditions of Approval CUP-1 through CUP-6.

Commissioner Aplin asked why the hours of operation listed in the Conditions of Approval were greater than that proposed in the application. Ms. Engman replied that the intent was to build in flexibility should the desired hours change, but with the idea that overnight use would not be allowed.

Jeff Hammond presented on behalf of the applicant, Banfield Pet Clinics, and provided an overview of the company and its business model. Notable is the fact that Banfield does not itself operate boarding, training, outdoor facilities, or emergency services and focuses on short-term veterinary in-patient care. 3,000 square feet is a typical footprint, and typically 20 pets are seen per day.

Commissioner Kuhn asked questions about the definition of small animals in the TDC as well the nature of the relationship between the proposed location and existing adjacent clinics, included an existing location within a Petsmart pet store located off of I-5 at the Nyberg Wood shopping center. Mr. Hammond responded that the neighborhood model of the Banfield clinics allow for multiple locations within relative proximity to each other. Mr. Hammond also noted that it would be likely that the existing Banfield location would likely close and be relocated to the subject location, if approved. The size of the clinic would be three of the tenant spaces within the existing freestanding commercial multitenant building.

Commissioner Thompson wanted to know what public comment had been received. Ms. Engman noted that there was no public comment from adjacent tenants or the general public.

Ms. Engman also provided the definition from the TDC of small animals, which is a limitation required by the Conditional Use Permit.

Mr. Hammond provided additional information about the services provided by Banfield as well as that by other related companies owned by Banfield's parent Company.

Chair Beers opened the public testimony portion of the hearing.

Sharon Noell – 20805 SW 104th Avenue, Tualatin – asked whether or not boarding would be provided at this facility, as well as daycare. Ms. Noell clarified that she also wanted to know whether or not these uses are disallowed in the City.

Mr. Hammond responded that no boarding or daycare or grooming would be provided. Ms. Engman responded that these uses were allowed in other parts of the City. Chair Beers concurred.

Mr. Hammond declined opportunity for further comment or rebuttal.

Chair Beers closed the public hearing and public record and the Planning Commission began deliberations.

Chair Beers MOTION to approve CUP 20-0001 as written. SECOND by Councilor Green. Chair Beers indicated that he was satisfied by the application. Council Green concurred. Councilor Kuhn stated she felt that the traffic would be less. Ms. Engman noted that the proposed use would generate less traffic than the restaurant uses per the ITE manual. Commissioner Thompson noted that the conditions would address any potential for outside animal waste. APPROVED 7-0.

Housing Comprehensive Plan Update Plan Text Amendment (PTA 20-0004)

Tabitha Boschetti, Assistant Planner, presented the staff report for the proposed Plan Text Amendment, which is a city-initiated amendment. The proposal would update the Housing Element of the Comprehensive Plan.

Ms. Boschetti noted that the Planning Commission has been working on the proposed amendments in draft form over the last three prior meetings. Staff is seeking the Planning Commission's recommendation on the amendments which would be presented to the City Council at a public hearing on December 14, 2020.

Ms. Boschetti provided an overview of the Tualatin 2040 process, which originally started from the Tualatin Tomorrow visioning in 2014 and continued through the TDCIP code update in 2018 and the 2019 Housing Needs Analysis, Housing Strategies, and Policy Priorities. The current phase is implementation of the work that was previously done by updating the Housing Element of the Comprehensive Plan which provides the

guiding goals and policies, and act as the “scaffolding” for the more-specific Development Code and land development. The implementation work also includes updates to the Plan’s graphics and overall organization.

Ms. Boschetti highlighted an example of the update to the Housing Element, which includes direct translation of the 2019 Housing Strategies into goals and policies of the Comprehensive Plan which will then guide the direction of the Development Code and other city plans. The reorganization of the remaining Chapters of the Comprehensive Plan includes condensing and simplifying some of the existing code language in a policy-neutral manner. Ms. Boschetti also noted the work done by Ms. Engman to update the appearance of the Plan by applying the City’s existing branding guidelines.

Ms. Boschetti summarized her presentation by noting that the amendments are identified in the Findings as being compliant with applicable state, regional and local requirements for Plan Text Amendments, and that the Planning Commission was being respectfully asked to forward a recommendation of approval to the City Council.

Commissioner Aplin asked what feedback had been received by the development community on the proposed updated housing goals and policies. Commission Aplin also asked if this is a typical type of update that is done by other communities. Ms. Boschetti responded that at this stage of the work, because it is not changing the actual regulations, specific feedback on what could or could not be built was not sought. Ms. Boschetti replied that updating the Comprehensive Plan is done in a similar fashion by other cities.

Sharon Noell asked about how these changes would impact accessory dwelling units. Ms. Boschetti replied that the changes that include policies that would encourage development of a broad range of housing types, would also support accessory dwelling units. Chair Beers clarified that ultimately accessory dwelling unit language would be added more specifically in the development code. Steve Koper, Assistant Community Development Direction also added that accessory dwelling units are

Commissioner Kuhn noted that there was nothing new, which was good because of all of the work that the Commission had done to shape it to date.

Commissioner Thompson expressed appreciation that staff had listened the Commission’s comments.

Mr. Koper expressed appreciation for the Planning Commission’s work as well as for Ms. Boschetti and Ms. Engman for their contributions.

Chair Beers asked for whether there is the opportunity to provide a redline version for the public to see.

Mr. Koper asked for any of the public who is interested in seeing a redline version to email planning@tualatin.gov and staff can update the packet that we can send out and re-send to the Planning Commission. Mr. Koper noted that due to the nature of the reorganization of the code it could be a little difficult to read, but that we would be happy to provide it for the public. Ms. Boschetti also noted that the final version in the City Council packet on December 14, 2020 would be slightly updated after review by the City Attorney.

Chair Beers MOTION to recommend approval of PTA 20-0004 to the City Council as written. Commissioner Thompson SECOND. APPROVED 7-0.

5. FUTURE ACTION ITEMS

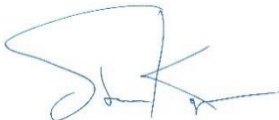
Mr. Koper mentioned that there would be a special meeting on December 10, 2020 for a presentation by the City's consultant on the creation of a Housing Production Strategy (House Bill 2003) for the City, which are regulatory, financial, and other measures that the City could adopt or implement to support production of middle housing (duplexes, triplexes, and quadplexes) as well as production of housing that is affordable to families earning 60 percent or less of median family income.

Mr. Koper also provided an update on a presentation from the City's consultant on the missing middle code updates (House Bill 2001). Mr. Koper offered either to have the Commission to discuss the topics either on the December 10, 2020 meeting or on a separate meeting date at the Commission's regularly scheduled December meeting on December 17, 2020. Mr. Koper proposed to send out a poll to the Commission to determine the preference.

Commissioner Bachhuber asked for a schedule for completion of the HB 2001 work. Mr. Koper responded that work with both consultants on HB 2001 and 2003 would need to be finished by the end of June 2021.

6. ADJOURNMENT

MOTION by Commissioner Aplin, to adjourn at 7:21 p.m.



Steve Koper, Assistant Community Development Director