

Tualatin Planning Commission

MINUTES OF November, 18 2021

TPC MEMBERS PRESENT:

William Beers, Chair
Mona St. Clair, Vice Chair
Zach Wimer, Commissioner
Janelle Thompson, Commissioner
Randall Hledik, Commissioner

TPC MEMBERS ABSENT:

Ursula Kuhn, Commissioner

STAFF PRESENT:

Steve Koper
Lindsey Hagerman
Erin Engman

GUESTS:

Saurage Felton
Michelle Black
Bill Kabeiseman
Melissa Soots

CALL TO ORDER AND ROLL CALL:

Roll Call was taken at 6:30 p.m.

ANNOUNCEMENTS AND PLANNING COMMISSION COMMUNICATION:

Recognition of Alan Aplin.

APPROVAL OF MINUTES

Review of July 15, 2021 moved to next meeting.

COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)

None.

ACTION ITEMS:

- 1. Consideration of a Variance (VAR 21-0003) for 23500 & 23550 SW Boones Ferry Road, Tax ID: 2S135D000303.** Based on the application materials and the analysis and findings presented (Attachment 2), staff recommends approval of the proposed Variance (VAR 21-0003) with conditions of approval.

Senior Planner Erin Engman presented the consideration of VAR 21-003. She shared the projects objectives including the site plan, project description, variance standards, and the staff recommendation.

Commissioner Hledik asked why this project is listed as a potential affordable housing project. Planner Engman explained they are subject to a future architectural review application and

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noted the project itself is affordable housing.

Commissioner Wimer asked for clarification for on a minor architectural review and specifically on height standards for the variance. Planner Engman spoke to the conditional use permit. Assistant Community Director Steve Koper clarified this is not a minor variance.

Commissioner Bachhuber asked for a description of what identifies a hardship. Planner Engman shared the definition of a hardship stating it is created by an unusual situation that is the result of lot size, lot shape, topography, development circumstances or being able to use the land or public infrastructure more efficiently.

Commissioner Kuhn if increasing height structure would cause and issues during earthquakes, flooding or water runoff. Mr. Koper stated that is a technical question and differed to the applicant.

Commissioner Bachhuber asked if this sets a standard for possible future applications. Planner Engman explained future applicants would have to go through a similar variance process to be considered for a hardship. Mr. Koper spoke to the variance requirements process and noted in this case a variance is necessary to achieve a property rights for the density of units. He also commented on challenges of the property topography.

Commissioner Bachhuber asked how many acres are in this particular zoning. Mr. Koper stated there are 25 acres.

Commissioner Hledik asked for clarification of full property rights and noted the density spread 16-25 units per acre. Mr. Koper stated there is minimum and maximum density in the code but the code does not get specific on property rights.

Community Partners Housing Director Jilian Saurage Felton introduced herself and her team. She explained Community Partners provides homeless service and housing to the community. She shared background on what they do and who they are. She briefly explained why they are requesting a variance.

Melissa Soots introduced herself and addressed the reasons why they are asking for a variance in height structure. She mentioned questions received from the public on why they would be asking for the height variance. She went over each of the following factors in detail including the structure height being 54 ft. at its highest point, unsuitable soil, the reliance on gravity, utility connections, and parking. Ms. Soots shared the choice of placement of each building on the site. She expressed the reason in detail of why they choose this particular design. Ms. Soots reviewed each hardship on the site in detail including there being flatter ground, suitable soil, connections to utilities, and more open space. She addressed the requested parking reduction

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from 107 parking spaces instead of 108 required. Ms. Soots stated they completed a parking study of three similar apartment units in the area noting there was a required average usage of 1.3 parking spaces and they are proposing 1.47 parking spaces. She went through hardship factors on parking and why they are asking for a reduction including site access, connection to Autumn Sunrise development, and emergency access points and access to Boones Ferry Road. Ms. Soots went through comments received from the public and addressed each concern.

Commissioner Thompson asked about the access point off Autumn Sunrise Development causing a hardship. Ms. Soots stated the access point would require a private easement which is not guaranteed as the road has not been built and they have been asked to have both options available for access points. She also mentioned they currently have a design request with the county to connect with Boones Ferry Road.

Commissioner Hledik asked about the public comment testimony regarding the height variance and why three stories is no longer feasible. Ms. Soots explained the reduction of units would not be feasible in their overall project. Ms. Felton asked if Bill Kabeiseman, Community Partner, could also explain this question as well. Mr. Kabeiseman touched briefly on property rights and the ability to build to the maximum density per the code. He mentioned this variance is one way to preserve this property right.

Commissioner Hledik asked if property owners of Autumn Sunrise were invited to the neighborhood meeting. Ms. Felton let him know they invited everyone within 1,000 ft. of the subject property. She mentioned their team has been in close contact for over a year with the Autumn Sunrise development. She stated they are both aware of each other's projects and have coordinated information.

Commissioner Hledik asked about the parking being subcompact stalls at 28% percent. He noted the code allowed 35% subcompact. He asked if they considered adding more subcompact stalls to increase their parking spaces. Ms. Soots stated they spent a lot of time trying to work in more parking stalls to meet standards but were stuck at 170 parking spaces.

Chair Beers asked if they got rid of the community building or open areas could they place another building and make them all three stories. Ms. Soots noted with the requirement for open spaces they are not able to eliminate the court yard. She highlighted the importance of the community building and the ability to provide programming.

Commissioner Wimer asked how the resilience of earthquakes are on this site with the requested height. Ms. Felton stated their team has met structure code. She noted Community Partners puts an emphasis on safety, health, and sustainability for their residents and wouldn't cut corners when it comes to those items. Ms. Soots also noted four story housing is common and they are confident in their ability to keep the building safe. Michelle Black, Community

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Partners, also noted their structural engineer determined the building placement and noted building three or four stories would come down to the same structural foundation being engineered.

Chair Beers opened the floor to public comments.

Carol Greno spoke in favor of the development. She spoke about how the development would provide homes for the homeless and bring more housing options to existing families in need.

Kathleen Swift spoke in favor of the application. She mentioned she lives very close to the development and would be housing a variety of income levels for families. She mentioned the kids would be living in these units.

Alec Lawrence spoke in favor of the application and mentioned he works in affordable housing. He mentioned this development does face a hardship and enables them to build to density allowed. He noted that the housing being built would be for the area and the job wages that are available in the area. He looked up to see what would qualify to have a one bedroom with renter's assistance and its \$21 an hour well above minimum wage and people who need housing.

Mary Anne Pots spoke in favor of the application. She spoke about how affordable housing being close to work would reduce traffic. She noted the need for this type of housing and makes a difference in Tualatin.

Carrie Culluson spoke in neutral of the application. She spoke about her struggle with not knowing future impacts that include traffic, parking, future sites and impact.

Mary Westnhaver spoke about resident high density number with rights. She spoke about how the existing condition and topography issues that they just won't be able to get 25 units in the corner of the hill.

Cathy Holland spoke not in favor of the application. She spoke about wanting to support affordable housing but sees the issues. She specifically spoke about traffic, parking and lack of mass transportation.

Grace and John Luchini spoke not in favor of the application. They spoke about addressing the code and impact on storm water and goal 5 environmental factors. He spoke about report they turned into the commissioners.

Ms. Felton addressed concerns regarding transportation and working with the Autumn Sunrise development.

Ms. Soots spoke about the design standards, green space, and goals for protecting the environment.

Mr. Koper clarified the traffic would have to be considered and the variance. He noted if the applicant fails to carry the burden the approval in the future would not go through. Mr. Koper reiterated the definition of hardship and what bases this meets the criteria.

Commissioners discussed amongst themselves the decision for the variance. They took into consideration traffic concerns, future findings, and affordable housing competition

Chair Beers moved to approve VAR21-0003 as presented by staff and append the applicant's narrative to the additional staff's findings, seconded by Commissioner Wimer. All commissioners were in favor.

COMMUNICATION FROM STAFF:

Mr. Koper spoke about the upcoming topics:

Autumn Sunrise Conditional Use Application- December 2, 2021

City Council consideration of zone change for Tualatin Heights- December 16, 2021

ADJOURNMENT

Meeting was adjourned by a vote from Commissioner Thompson at 9:00 p.m.