



**Planning Commission Minutes
Willamette Activity Center Room 8
July 15, 2014
7:00 P.M.**

1.0 Open Meeting

7:05 P.M.

Commissioners Present

George Custer, Chairperson
Keith Brown, Vice Chair
Amy Kordosky
Matt Altemus
Teresa Freborg
James Affa
Gary Carl

Staff Present

Louis Gomez, City Administrator
Jackie Taylor, Assistant Planner

2.0 Citizen Input

Nancy Kelly – Ms. Kelly is asking for an abatement of the property at 48335 E 1st Street. This is an ongoing issue; she is not sure what he is using the property for.

3.0 Consider Approval of Minutes

Motion: Commissioner Brown moved to approve the minutes from the June 24, 2014 Planning Commission Meeting. Commissioner Affa seconded the motion.

G. Custer (Aye), M. Altemus (Aye), T. Freborg (Aye), J. Affa (Aye) G. Carl (Aye), A. Kordosky (Aye), K. Brown (Aye). Motion carried 7-0

4.0 Action/Discussion Items

4.1 LID Recommendations from the U of O Community Planning/DEQ

15.04 Planned Unit Development Subdistrict (/PUD)

(1) Description and Purpose

Motion: Commissioner Affa moved to approve section 15.04 Planned Unit Subdistrict (/PUD) as presented. Commissioner Carl seconded the motion.

G. Custer (Aye), G. Carl (Aye), K. Brown (Aye), A. Kordosky (Aye), J. Affa (Aye), M. Altemus (Aye), T. Freborg (Aye). Motion carried 7-0.

(2) Objectives

Commissioner Freborg said there were a number of objectives, to provide for enhancement and preservation and desirable vegetation and trees within the area that is under paragraph J under objectives.

Louis questioned the rare natural resources, like Commissioner Brown stated, that could be anything.

Commissioner Brown said it doesn't say you have to do anything, it is encouraged.

Motion: Commissioner Carl moved to accept the language to encourage the clustering of developments and the preservation of open space and rare natural resources. Commissioner Brown seconded the motion.

K. Brown (Aye), A. Kordosky (Aye), G. Custer (Aye), J. Affa (Nay), G. Carl (Aye), T. Freborg (Nay), M. Altemus (Aye). Motion carried 5-2

(12) Development Standards

Motion: Commissioner Carl moved that we not accept subparagraph 12 native vegetation. Commissioner Freborg seconded the motion.

Commissioner Carl said he does not like things that say you are required. If you are required to do something then there should be a good reason.

Commissioner Brown agreed, it should say encouraged.

Commissioner Carl changed his motion to change the word used to encourage.

Commissioner Altemus said we did pass areas earlier that said where landscaping is required in all areas except for driveways etc...

Commissioner Custer said it says where landscaping is required; as opposed to these are the things you could use.

Commissioner Freborg said on (12) (h) where it says permissible vegetation, it should be changed to native vegetation types can be found.

Commissioner Carl agreed to that as part of his amendment

M. Altemus (Aye), J. Affa (Aye), T. Freborg (Aye), G. Custer (Aye), A. Kordosky (Aye), G. Carl (Aye), K. Brown (Aye).

20.04 Vehicle Parking Spaces Required

(5) Small Car Space Adjustment

Motion: Commissioner Freborg moved to reject section 20.04 paragraph 5. Commissioner Carl seconded the motion.

Commissioner Carl said what does this have to do with Low Impact Development.

Commissioner Custer said because they are trying to push people to drive tiny green cars.

Commissioner Brown said making more small spaces doesn't make people buy new cars.

Commissioner Brown said we would be reducing the number of parking spaces for people.

Commissioner Freborg said yes, to encourage public transportation.

Commissioner Altemus because of our layout in Uptown Oakridge it's difficult with the uptown buildings and the way the street is from the Pub to the Library, it is hard to have this and encourage business at all.

Commissioner Custer said in section 20.04 it is talking about banks, libraries, retailers with large items.

Commissioner Altemus said people are generally afraid of having to go before a board for permits. With the little town of Oakridge we should make it as inviting as possible. Parking is not an issue right now.

Commissioner Brown said this only applies to Rays or The Cascade General Store at this time.

There is no section (5) currently in the code.

Commissioner Freborg called for the question.

G. Custer (Aye), M. Altemus (Aye), T. Freborg (Aye), J. Affa (Aye), G. Carl (Aye), A. Kordosky (Aye), K. Brown (Aye). Motion carried 7-0

20.08 Vehicle Parking Area Improvements

(1) Parking areas shall be paved

Motion: Commissioner Carl moved to accept the recommendation that permeable pavements may also be used in all parking areas. Commissioner Freborg seconded the motion.

G. Custer (Aye), G. Carl (Aye), K. Brown (Aye), A. Kordosky (Aye), J. Affa (Aye), M. Altemus (Nay), T. Freborg (Aye). Motion carried 6-1

20.08 Vehicle Parking Area Improvements

(6) Landscaping of Parking lots

(7) Vegetation

Motion: Commissioner Carl moved to reject paragraph (6) in its entirety. Commissioner Freborg seconded the motion.

Amended Motion: Commissioner Carl amended his motion to make it to reject paragraphs (6) and (7). Commissioner Freborg seconded the motion.

Commissioner Brown asked if we are being consistent with rejecting this with the other stuff that we have already done prior with the multi unit developments. He just wants to be consistent.

Louis said that it appears that looking at it from their expanded view it just comes down to more water soaking into the ground and not on the pavement.

K. Brown (Aye), A. Kordosky (Aye), G. Custer (Aye), J. Affa (Aye), G. Carl (Aye), T. Freborg (Aye), M. Altemus (Aye). Motion carried 7-0

25.07 Landscape Standards

(3) Planting Standards

Motion: Commissioner Brown moved that we accept with the following changes; the word used shall be replaced with shall be encouraged and take the word permissible out.

M. Altemus (Aye), J. Affa (Aye), T. Freborg (Aye), G. Custer (Aye), A. Kordosky (Aye), G. Carl (Aye), K. Brown (Aye). Motion carried 7-0

25.09 Special Development and Design Standards for Duplexes, Tri-plexes and Single Family Attached (Townhouses) Development

(6) Common Areas

Commissioner Freborg pointed out that duplexes is spelled wrong.

Motion: Commissioner Freborg moved to accept 25.09 (6) as amended however to change the terminology from such landscaping will preferably include to say such landscaping may include native vegetation and may include retention ponds, swales, rain gardens and stormwater planters. Commissioner Affa seconded the motion.

G. Custer (Aye), M. Altemus (Aye), T. Freborg (Aye), J. Affa (Aye), G. Carl (Aye), A. Kordosky (Aye), K. Brown (Aye). Motion carried 7-0

25.10 Special Development and Design Standards for Multiple-Family Developments

(1) Common Open Space

Motion: Commissioner Carl moved to accept the changes in paragraph (1) (a) as proposed. Commissioner Brown seconded the motion.

Commissioner Freborg said she believes in the past we have rejected things where they can mitigate their common open space requirement if they use certain things because that is not enforceable, to reduce an apartment complex by 10%, that takes it to make it manageable.

G. Custer (Nay), G. Carl (Aye), K. Brown (Aye), A. Kordosky (Aye), J. Affa (Nay), M. Altemus (Aye), T. Freborg (Nay). Motion carried 4-3

25.13 Additional Recommendations

Commissioner Affa asked Louis if he could get a copy of the Riparian Enhancement Guides.

Louis said he will get him a copy.

Louis said he just got a number of Riparian Zone pamphlets from the Upper Willamette Soil and Conservation District.

Commissioner Brown asked how much of this is already covered; we already have to get a site plan, what they are saying is we have to put another step in, which is a Low Impact Development step.

Louis said when Jackie and I are doing plan reviews, what this is telling him is that these are additional items that we will have to be looking for when doing a site plan.

Commissioner Brown said this seems like a lot to him, he doesn't think the theory behind this is bad, but he does disagree with the bureaucracy that it sounds like. We have gone through the codes and we have to put all of this information in there, it seems like the things we have added we are being asked to look at again.

Motion: Commissioner Freborg moved that we reject the suggested changes to 25.13 for the proposed sanctions for LID Consultation for code and language and also we reject 25.04 applications for site plan review amendment. Commissioner Affa seconded the motion.

Commissioner Carl asked if this is going to get us into major hot water?

Louis said he doesn't think so; he believes Commissioner Brown touched on this, just about everything is mentioned under additional recommendations.

All that is saying is to have a consultation. What he recommends is to do the rejection and let Louis take a look at it and see if we can get what they want in one or two sentences. Whoever is required to approve the site plan take these things into consideration or make a suggestion to the people turning in their plans.

Commissioner Brown said even a statement encouraging homeowners to look at Low Impact Development Standards in the permitting processing.

K. Brown (Aye), A. Kordosky (Aye), G. Custer (Aye), J. Affa (Aye), G. Carl (Aye), T. Freborg (Aye), M. Altemus (Aye). Motion carried 7-0

5.0 Volpe Conditional Use Permit –

Louis apologized to Ms. Kelly for this taking so long, he did in fact send a certified letter to Mr. Volpe and he did receive it. He stated that the issue at hand is under the code it states that if this body does not specify a time limit for him to do something then on or before six months after the date the permit became effective but, not more than 18 months from when the permit was granted they can revoke the Conditional Use Permit.

Mr. Volpe has not done anything that the Planning Commission asked him to do and has done everything you asked him not to do. No changes in landscaping, entrance, no gate etc...

Louis asked the body what they wanted him to do. We can notice it out for next month and do a revocation of his Conditional Use Permit.

Commissioner Carl asked what date Mr. Volpe received his letter?

Louis said he received it on the 14th.

Commissioner Carl said he would prefer to do a revocation rather than expiration. He would prefer to give Mr. Volpe notice and then allow a public hearing and let him come and say what he wants to say.

Louis agrees with the Commission, we have better standing if we go through the revocation process.

Commissioner Custer agrees and is sorry it has taken so long to get to this.

Louis said from the last meeting to this meeting the police did document on two occasions where they did in fact see him when he wasn't supposed to be there in the middle of the night.

This was one of the conditions Commissioner Freborg really pushed for was reasonable hours of work, 8:00 a.m. until 6:00 p.m.

Commissioner Carl said the basis of the revocation shouldn't be on the occupancy, it should be on basis of his failure to do what we asked him to do and what he agreed he would do; we don't even have to reach the question of whether he is there at night or making noise, he just didn't do what he said he would do, so we revoke the Conditional Use, period.

Louis agrees with Commissioner Carl; but since they are already out we will document it anyway, basically for Ms. Kelly's peace of mind.

Commissioner Custer said he has the letter and he'd like to see what he does from here.

Louis said he will have Jackie notice out the public hearing for next month.

Commissioner Freborg said his Conditional Use Permit has already expired and he is in violation of it under 24.102 but, the revocation is more formal and that is makes it clear that it is an action that we took.

Commissioner Custer said with expiration they can turn around and ask for it again.

Louis said he is in agreement with the Commission.

7.0 Positive Comments and Constructive Input

None

8.0 Announcements

None

Meeting Adjourned

Chair Custer adjourned the meeting at 8:20 p.m.

Signed:

George Custer Chairman Date

Attest:

Susan LaDuke, City Recorder Date