



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

**1.0 Open Meeting**

7:00 P.M.

**Commissioners Present**

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

**Staff Present**

Louis Gomez, City Administrator  
Jackie Taylor, Assistant Planner

**2.0 Citizen Input**

Nancy Kelly, 48328 E 1<sup>st</sup> Street, Oakridge – She has made complaints about North Fork Automotive to the Police Department. The owner is not complying with the Planning Commissions Conditional Use Permit that was issued in July 2013. Mr. Volpe is there from 10:00 P.M. at night until the early morning on a regular basis.

Commissioner Carl said as he recalls, there was a concern about the hours of operation. The hours were to be from 8:00 A.M. until 6:00 P.M.

Commissioner Carl said this seems to be more of a Code Enforcement issue rather than a Planning Commission issue.

Louis said this is twofold, the Planning Commission, as a body, set the time conditions. It is alleged that he is violating their conditions. The Planning Commission can adjust, modify or revoke if we can show he is violating the conditions. There are a number of things that he is doing, he is parking stuff behind there and he is not supposed to have anything parked out front over night. One of the things Louis needs to do is send him a letter in regards to what we are seeing and the conditions and let him know if he doesn't get in compliance his conditional use permit can be revoked.

Commissioner Carl said it should say reviewed, not revoked. Louis won't be the one to revoke it; the Planning Commission would do that. Would Mr. Volpe have the opportunity to answer the allegations against him?

Louis said not necessarily, not on a Conditional Use Permit.

Commissioner Custer said first and foremost we need to verify that the allegations are true.

Louis said he will write the letter because he saw some of the allegations himself.

Commissioner Custer asked Louis if any of this will fall to Code Enforcement or can Louis take care of this.

Louis said most of it is primarily in violation of the Conditional Use Permit. He should have the letter and report for the Planning Commission by the next meeting.

Commissioner Freborg said he was supposed to have his fencing and screening requirements finished also. That was conditional; he wasn't supposed to start operating his business until he completed that.

Commissioner Carl asked for a copy of the Conditional Use Permit.

Jackie will scan it and send it out to the Commissioners.

Rodney Porteous 76664 Westoak Rd, Oakridge - He is asking for a Variance to paint a sign on the side of a building so he has some advertisement coming in from the West side of town. He is not trying to gain a competitive advantage; he just wants people to know he is there. He gave the Commission a picture of what he is thinking about doing.

Commissioner Custer asked what the sign code says about advertising off premises.

Louis said the sign code says you can't. That is why he suggested to Mr. Porteous that he come in front of the Commission to discuss this before he applied for the Variance.

Commissioner Carl said he is torn; he really wants to support businesses in Oakridge, especially eateries because we keep losing them. On the other side there is the issue of fairness. If we let him do this why can't someone else do this and then Hwy 58 will have distracting signs advertising commercial enterprise. But, then is really nothing you could do to make Hwy 58 look any worse.

Commissioner Custer said he understands where he is coming from but, just because one person does, doesn't mean everyone else is going to run out and do it. Advertising is a good thing, some businesses don't advertise enough. Just because we allow one doesn't mean we have to allow all of them.

Commissioner Freborg said there are off premise signs at the East end of town.

Commissioner Carl Said section 22.04 page 78, general prohibitions talks about off premise signs.

There was discussion that there are already off premise advertisement signs in the City.

Commissioner Affa asked Mr. Porteous how long he wants to have the sign up.

Mr. Porteous said as long as he owns the business he would like to have the sign.

Commissioner Carl asked if the sign could be smaller and still be effective?

Mr. Porteous said it does not have to be this big. He just wants it bright enough and big enough to catch people's eyes as they come around the corner. The real restriction is the windows on the building. The sign in the picture is about 30' long and about 3.7' high. Upon the advice of Louis he is going to ask for 15'.

Louis said he believes that half that will be good enough. He is not opposed to this sign; he would recommend something like to the Commission. The science is already there, on the size of lettering and for the speed of the highway. If Mr. Porteous comes back for the Variance this is something we need to look at, what the science says.

Commissioner Brown said one thing he might ask is if Mr. Porteous is going to pay someone to put this up that he spring for the extra couple hundred bucks and paint the whole side of the building.

Mr. Porteous said that is a good idea and he could do that.

Commissioner Custer said as business minded people they are all in agreement that they are for advertisement and for businesses moving forward but, obviously they have to make sure that overall the look and feel of our City is appropriate.

### **3.0 Consider Approval of Minutes**

**Motion:** Commissioner Affa moved to approve the March 18, 2014 meeting minutes. Commissioner Freborg seconded the motion.

G. Custer (Aye), T. Freborg (Aye), J. Affa (Aye), G. Carl (Aye), K. Brown (Aye).

### **4.0 Action/Discussion Items**

#### **LID – Recommendations from the U of O Community Planning/DEQ**

There was discussion on what was decided and discussed at the last meeting. Sections 6.02 and 8.02 still require action.

#### **6.02 And 8.02 Uses and Structures as written**

Commissioner Brown asked what the issue with green roofs is.

Commissioner Freborg said the issue itself was that this is a permitted use for the property itself, not so much a green roof issue. For her it's the vegetative swales or weeded ditches in other words, that they could use the property just for storm water mitigation. They just didn't want properties to be neglected and allow weeds to grow in the name of storm water mitigation. That was her primary objection, she has no problem with green roofs or rain collection, and she just doesn't want vegetative swales on property.

Commissioner Carl asked if there was a specific planting for the bio swales.

Louis said yes there is, absolutely. It has to be native, there is a listing.

Commissioner Custer said if they have to do all the code requirements on a piece of commercial property they can't just put it in any place, he would hope they wouldn't put a ditch because they can put a ditch, hopefully it would meet the requirements.

Commissioner Brown said his understanding with the intent is to reduce the run off but also get things like heavy metals and fuels removed from the water, rather than have it go directly to the river. We can agree that the intent is good. We still have the power as an entity to determine and approve the plans that are set in front of us. We can easily say if something doesn't work for us.

It was agreed that if there is a building it is ok to have a green roof.

Commissioner Brown said these are all up and coming issues that people who have concerns about the environment are really cognizant and aware of and it really give your community kudos if you can incorporate this.

Commissioner Custer said they had a good discussion at the first meeting and they are aware that the people bringing this forward were going to shot gun the entire thing, but we have the chance to pick it apart and make sure it meets our community's needs.

Commissioner Carl asked if anyone has seen a green roof.

There is one by the Lane Community College exit off of I-5.

**Motion:** Commissioner Brown moved to accept 6.02 and 8.02 Uses and Structures as written. Commissioner Carl seconded the motion.

G. Custer (Aye), G. Carl (Aye), K. Brown (Aye), J. Affa (Aye), T. Freborg (Aye). Motion carried 5-0

#### **8.06 Fences, Walls and other Structures**

**Motion:** Commissioner Freborg moved to accept 8.06 Fences, Walls and other structures as presented. Commissioner Affa seconded the motion.

Commissioner Carl asked if they are legislating for vegetation that is 3' – 6' isn't that contrary to our code for fences.

Louis said this is specifically for commercial property that abuts residential property.

The intent is to give privacy to the people in the residential zone.

Commissioner Brown said if you buy them brand new and they are only 3' tall and your intent is that they are going to grow up to 5' tall and you will keep them trimmed, then that is a reasonable understanding of our intent.

Commissioner Brown asked if we need some wording on encroaching on someone else's property. For example the Laurel Hedge, those things can go crazy. Whose responsibility is it to keep it cut on the resident's side?

Louis said we have those issues now and if you have asked your neighbor to trim it and they don't you can trim what is on your side. Documenting this is good and can save you.

There was discussion on what hedges would be good to use.

**Amended Motion:** Commissioner Freborg moved to amend 8.06 as submitted with the following changes, that it is an Evergreen Hedge, striking native vegetation and minimum height would be 5' to match the rest of the ordinance in lieu of a fence or wall. Commissioner Carl seconded the motion.

J. Affa (Aye), T. Freborg (Aye), G. Custer (Aye), G. Carl (Aye), K. Brown (Aye). Motion carried 5-0

### **8.09 Landscaping and Lighting**

**Motion:** Commissioner Freborg moved to accept section 8.09 with the exception of striking a green roof from an area that is not covered by a building, a green roof wouldn't apply. Commissioner Affa seconded the motion.

G. Custer (Aye), T. Freborg (Aye), J. Affa (Aye), G. Carl (Aye), K. Brown (Aye). Motion carried 5-0

### **9.01 Purpose**

**Motion:** Commissioner Brown moved to accept 9.01 Purpose as proposed. Commissioner Carl seconded the motion.

G. Custer (Aye), G. Carl (Aye), K. Brown (Aye), J. Affa (Aye), T. Freborg (Aye). Motion carried 5-0

### **9.07 Landscaping**

**Motion:** Commissioner Carl moved to accept section 9.07 to strike green roofs. Commissioner Affa seconded the motion.

K. Brown (Aye), G. Custer (Aye), J. Affa (Aye), G. Carl (Aye), T. Freborg (Aye). Motion carried 5-0

Commissioner Brown asked if we could review the part we approved that had to do with driveways in residential areas. The reason he is asking to review it is because what we are saying is that people are required to have a two car driveway, the way it is written and what they were saying is that they have the option of a one car driveway. When he went back and reread everything he is thinking that maybe we didn't get what we intended to get. He is talking about section 4.07 off street parking. What we turned down is that you have to have parking for two.

Louis said he understands what Commissioner Brown is saying. What they are trying to do is minimize impervious surfaces.

Commissioner Freborg said when these people first came up and we were talking about this the intent was to reduce the number of vehicles that people used and to increase density to a certain degree. We have no public transportation in Oakridge so where are people supposed to park their cars.

It doesn't require that you have a one car driveway, it just gives you the option, and you could still have a five car driveway if you want. You just have to have space for one car.

#### **10.02 Uses and Structures**

**Motion:** Commissioner Affa moved to accept 10.02 Uses and Structures as presented. Commissioner Freborg seconded the motion.

Commissioner Carl asked what amended compost is about?

Commissioner Freborg said the definitions are on page 24; it is organic material that can be added to the soil to help plants grow and reduce runoff.

J. Affa (Aye), T. Freborg (Aye), G. Custer (Aye), G. Carl (Aye), K. Brown (Aye). Motion carried 5-0

#### **10.06 Fences, Walls and other Structures**

Commissioner Freborg pointed out a typo; should say 2 ½ feet but says 2-112 feet in height.

**Motion:** Commissioner Affa moved to accept 10.06 with the following changes to say "An Evergreen Hedge may be used in Lieu of a fence, wall or other structure. The Planning Commission's review shall consider aesthetic and maintenance factors. Commissioner Carl seconded the motion.

G. Custer (Aye), G. Carl (Aye), K. Brown (Aye), J. Affa (Aye), T. Freborg (Aye). Motion carried 5-0

#### **10.09 Landscaping**

**Motion:** Commissioner Freborg moved to accept 10.09 Landscaping as amended with striking green roofs; green roofs do not apply to bare land. Commissioner Affa seconded the motion.

K. Brown (Aye), G. Custer (Aye), J. Affa (Aye), G. Carl (Aye), and T. Freborg (Aye). Motion carried 5-0

### **11.06 Fences, Walls, and other Structures**

**Motion:** Commissioner Freborg moved to accept section 11.06 so that it reads An Evergreen Hedge may be used in lieu of a fence wall or other structure. The Planning Commission's review shall consider aesthetic and maintenance factors. Commissioner Carl seconded the motion.

J. Affa (Aye), T. Freborg (Aye), G. Custer (Aye), G. Carl (Aye), K. Brown (Aye). Motion carried 5-0

### **12.02 Uses and Structures**

**Motion:** Commissioner Carl moved to accept 12.02 as proposed. Commissioner Affa seconded the motion.

G. Custer (Aye), T. Freborg (Aye), J. Affa (Aye), G. Carl (Aye), K. Brown (Aye). Motion carried 5-0

### **12.09 Landscaping**

**Motion:** Commissioner Carl moved to accept 12.09 as written. Commissioner Brown seconded the motion.

Commissioner Carl said this sounds like a tank trap.

Commissioner Freborg said this is the first time she has seen trees in a planter strip. It's open space aggregate. The square feet should be cubic feet and who defines healthy soil.

Commissioner Brown said he doesn't understand why, in this area, we decided to do this.

Louis said this is the space by the dikes and in the parks. This all comes back to the site plan reviews.

**Amended Motion:** Commissioner Carl moved to accept 12.09 Landscaping preferably using low impact development strategies, included but not limited to stormwater planters, in-curb planter vaults, filter strips, vegetated swales, rain gardens, amended compost and rain barrels. Commissioner Affa seconded the motion.

G. Custer (Aye), G. Carl (Aye), K. Brown (Aye), J. Affa (Aye), T. Freborg (Aye). Motion carried 5-0

### **13.02 Uses and Structures**

**Motion:** Commissioner Freborg moved to re-number section 13.42 to 13.02 which is where it is located in the article and that we accept it as amended. Commissioner Carl seconded the motion.

K. Brown (Aye), G. Custer (Aye), J. Affa (Aye), G. Carl (Aye), and T. Freborg (Aye). Motion carried 5-0

**13.10 Landscaping**

**Motion:** Commissioner Brown moved to accept section 13.10 striking green roofs. Commissioner Affa seconded the motion.

J. Affa (Aye), T. Freborg (Aye), G. Custer (Aye), G. Carl (Aye), K. Brown (Aye). Motion carried 5-0

**14.02 Uses and Structures**

**Motion:** Commissioner Brown moved to accept section 14.02 Uses and Structures as presented. Commissioner Carl seconded the motion.

J. Affa (Aye), K. Brown (Aye), G. Custer (Aye), G. Carl (Aye), T. Freborg (Aye). Motion carried 5-0

**14.09 Landscaping**

**Motion:** Commissioner Brown moved to accept section 14.09 Landscaping striking green roofs. Commissioner Carl seconded the motion.

K. Brown (Aye), G. Carl (Aye), G. Custer (Aye), T. Freborg (Aye), J. Affa (Aye). Motion carried 5-0

**7.0 Positive Comments and Constructive Input**

None

**8.0 Announcements**

None

**Meeting Adjourned**

Chair Custer adjourned the meeting at 8:50 p.m.

Signed:

\_\_\_\_\_  
George Custer                      Chairman                      Date

Attest:

\_\_\_\_\_  
Susan LaDuke,                      City Recorder                      Date