

CITY OF DUNDEE

Meeting: Planning Commission Meeting
Location: City Council Meeting Chambers
620 S.W. 5th Street
Dundee, Oregon 97115
Date: July 16, 2014
Time: 7:00 p.m.

I. Meeting called to order.

Chairman Fiedler called the meeting to order. Commissioners present, which consisted of quorum, were David Hinson, Gerald Fiedler, Francisco Stoller, Tino Aleman, and Gary Rodney. Also present were City Administrator Rob Daykin and City Planner Jessica Pelz. Members of the public attending were Garth Brandaw, Roger Staver, Brian Varricchione, Chet Craig, and Brian Fields.

Commissioner Michelle Kropf was not in attendance.

II. Approval of Minutes from Previous Meeting(s)

It was moved and seconded to approve the minutes from April 16, 2014. Motion passes, unanimously. Approval of the May 21, 2014 meeting minutes were postponed to the next meeting.

III. Public Comment

There was no general public comment.

VI. Public Hearings

City of Dundee, LURA 14-03, TGM Commercial Zones Project
(Development Code amendments, comprehensive plan map amendments and zoning map amendments)

1. Objections to Notice

Chairman Fiedler began by reading the statement of interest into record. He then questioned whether there were objections to notice. No objections were heard.

2. Objections to Jurisdiction

There were no objections to jurisdiction.

3. Declarations of Ex-Parte, Bias, or Conflict of Interest

There were no declarations.

4. Staff Report

The staff report was read into the record, and then Planner Pelz began going through the changes that occurred as a result of the joint Planning Commission/City Council meeting. Next, Planner Pelz went over a memo submitted by Angelo Planning Group (added to the packet as Addendum #1). She outlined the major points of the memo, which included non-conforming uses and the reasons behind the suggested changes, and clarifications on the new proposed maximum setbacks and how they would apply to oddly shaped lots and buildings at unusual angles.

Planner Pelz concluded by stating that her recommendation was to hear public testimony and then continue the hearing to August.

5. General Testimony

Brian Fields began by identifying a property that he and his wife own at 875 N. Highway 99W. He stated that he supported the beautification efforts the City was undertaking, however, he had concerns regarding the proposed language having to do with circulation and parking exceptions listed under DMC 17.202.060(B). He then submitted a letter (herein titled "Exhibit A") that highlighted his worry about how the proposed language might affect property owners of small commercial lots. Mr. Field stated that he thinks the language is open to interpretation and requested that the language be further clarified.

CA Daykin asked if Mr. Fields was clear that the code wanted to limit vehicle traffic between the building and the highway. Mr. Fields noted that there were some exclusions and that he was specifically speaking about them and whether they could be amended to recognize smaller lots and their limitations.

Brian Varricchione stated he was a planner with Mackenzie and was hired by 12th and Maple Wine Company to assist with development of their site. They were presently talking with Planner Pelz about changing the zoning to allow wine storage. The current zone did not allow this type of use. He stated that the lot was proposed to be rezoned to Light Industrial (the findings were in the packet as exhibit c). CA Daykin added that the piece of property had previously been zoned LI, but the previous owner had requested the zone change to commercial.

Commissioner Hinson questioned whether there was some development planned on the site. Mr. Varricchione responded there were possibly future plans for a wine tasting use, but it would be subordinate to the wine storage.

Garth Brandaw of CBTwo construction, representing the property at 531 N. Highway 99W, formally submitted a letter (herein known as "Exhibit B"). He gave some history on the property and stated that they were looking at developing another building on the corner and felt that the proposed changes introduced by Angelo Planning Group (Addendum #1) addressed their concerns. However, he asked that the Commission review the new proposed standards for corner lots.

Commissioner Rodney asked for clarification as to whether Mr. Brandaw was for or against the changes. Mr. Brandaw responded that he was against the previously proposed changes; however he believed he was in favor of the new changes submitted by Angelo this evening. CA Daykin stated that the changes would be coming back to the next meeting therefore Mr. Brandaw would have time for review of the language.

There was some discussion regarding multiple buildings on one lot and whether all the setbacks would need to be met since they would have two street frontages. Commissioner Hinson asked if the exceptions requested were to maintain the sight lines to the current building. Mr. Brandaw responded yes, but to also preserve the site improvements they had already made.

Roger Staver, who owns the Tina's restaurant property and City Center Market property, stated that he thought the timing of development code changes was good. He suggested that for a quantitative exception there be an allowance for a 10% administrative exception, believing that development might occur more smoothly for lots that will have trouble reaching the standard.

Mr. Staver also stated that one of the things that worried him was the requirement to dedicate property as part of a development. There was conversation about this to clarify a specific requirement Mr. Staver was concerned with. During the discussion it was discovered that Mr. Staver was referring to the Downtown Refinement Plan, which is no longer valid.

Chester Craig, who owns the mini storage buildings next to SW 13th Street, stated that he came to the meeting because he thought the City was going to be disallowing mini storages. However, in a conversation earlier with Planner Pelz, he discovered that the code was going to be more flexible not less. Mr. Craig used a map to outline his hope for future development and asked how the code would apply. There was some conversation regarding setbacks. CA Daykin confirmed that mini-storages were going to continue to be allowed as a conditional use and that there would be design standards that would need to be met.

There was discussion regarding development of SW 13th Street, access to Mr. Craig's property, and the access easement he had to his property from another property. CA Daykin noted that ODOT would have jurisdiction over access from the Highway and the only thing that the City would have control over would be parking and that would need to be behind the building.

Mariann Hyland, co-owner of 875 N. Highway 99W, asked if their lot was considered to be a corner lot. CA Daykin responded yes, but in the update of the TSP the idea of developing SE 9th street was discarded. Ms. Hyland asked if they would be subjected to the requirements of the corner lots. CA Daykin and Planner Pelz responded that the question was a good one and that her lot and corner lots like hers might need to be added as an exception to the standards when the road is not planned to go through.

Ms. Hyland also stated that they had met with ODOT with regard to expanding their driveway and mapped out where they wanted it to go (in relation to the Transportation Enhancement Project), but with the code revisions they may need to revisit the plan. CA Daykin suggested they contact ODOT as soon as possible since they were in the final stages (of the TE planning). Discussion moved to the TSP, expected adoption, and whether public parking was planned.

Chairman Fiedler closed the public testimony portion of the meeting.

6. Discussion

Chairman Fiedler asked for guidance on what should be discussed next. CA Daykin stated that it was a good time to review the memo from Angelo. Planner Pelz recapped that more thought needed to be given to corner lots and right-of-way stubs.

She noted that there were processes in place for adjustments and variances, but that some clarification would need to be made as to whether those provisions would cover the issues brought up in discussion during the meeting. She noted that it was impossible to write a code that addressed every possible scenario, but the hope was to write the provisions for corner lots in such a way as to limit the number of adjustments that would need to be granted.

With the assistance of a white board, Planner Pelz began to diagram out the various options proposed in the Angelo memo.

There were several clarifying questions regarding configuration of buildings on corner lots with relation to the setback standard. There was a question about how phased development on a corner lot (with several proposed buildings) might work if the developer wanted to start with a building in the back. This was answered that the developer could build in any order because the site development approval would be for the entire site. There were questions to clarify whether the issue was that buildings with two street frontages would need to meet setbacks on both street frontages.

There was a request to have diagrams brought back for visual clarification.

There was discussion about corner lots having a "mini-park"; conversation regarding preference of having several mini buildings as opposed to having a large building stuck on the corner; ideas for how pedestrian features could be added to the design criteria.

8. Staff Recommendation

Planner Pelz recommended that the Planning Commission make a motion to continue the meeting to August 20. She stated staff would consider the issues that were brought up during the meeting and get diagrams sent out beforehand.

It was moved and seconded to continue the hearing to August 20, 2014 and reopen public testimony. Motion carries unanimously.

V. Planning Issues from Commission Members.

Commissioner Aleman asked about the letter in the packet and whether the City could request the authors come to the next meeting. It was noted that they had been in the audience but chose not to speak. There was a brief discussion about whether a letter qualified as testimony and how to get people to speak so that the commission could ask questions.

CA Daykin talked about two new work issues coming up for the planning commission—medical marijuana and exterior lighting design standards.

VI. Adjournment

It was moved and seconded to adjourn the meeting. Motion carries, unanimously.



Gerald Fiedler, Chairman

ATTEST:



Melody Osborne, Planning Secretary