

**BOARDMAN PLANNING COMMISSION MINUTES- REGULAR MEETING-MAY 26, 2021
VIDEO CONFERENCING MEETING**

Commission Chair Jacob Cain called the meeting to order at 7:00 p.m.

Commissioners
in Attendance: Jacob Cain, Ragna TenEyck, Karla Jimenez, Adam Cole, Sam Irons, Jennifer Leighton, and Zack Barresse (arrived at 7:04pm)

Commissioners Absent: None

Staff: Barry Beyeler-Community Development Director, Karen Pettigrew-City Manager, Toni Connell-Utility Clerk, and Jackie McCauley-Secretary

Audience: Caleb Stromstad, David Jones, Ramandeep Malhi Leslie Pierson, Maria Acosta, Barbara (unknown last name), Stan Hanson, Van Vorhesse, Bob Sighn, Tamra Mabbott, and Justin Nelson

APPROVAL OF MINUTES

Commissioner Cole motioned to approve the minutes of April 21, 2021 as presented. Commissioner Jimenez seconded the motion. A roll call vote was taken: Commissioner Jimenez-yes, Commissioner TenEyck-yes, Commissioner Leighton-yes, Commissioner Irons-yes, Commissioner Cole-yes, Commission Chair Cain-yes. The motion passed 6-0 with 1 absent.

OLD BUSINESS

Public Hearing – River Ridge Phases 4-8 – Hearing Continuation

Commission Chair Cain announced the purpose of the hearing was to continue a hearing from the April 21, 2021 meeting. Applicants of the River Ridge Estates Subdivision submitted a preliminary plat and overall master plan for Phases 4-8 for the commission's approval. The property is 42.7 acres in size and has 154 buildable lots with four small parks included.

Commissioner Barresse arrived at 7:04pm

Commission Chair Cain recessed the regular meeting at 7:04pm.

Commission Chair Cain opened the public hearing at 7:04pm.

Commission Chair Cain asked for abstentions and there were none. He asked for objections to the planning commission having jurisdiction to hear this application; there were none. He asked for the staff report.

Community Development Director Beyeler read the staff report into record. He said this is a re-plat of the Glen Moore Estates Subdivision, which were 2.5-acre lots. The new subdivision would clean up some of the issues from the previous subdivision. The proposed plan would provide for a transportation route from W. Wilson Lane to Kunze Lane, a Morrow County roadway. It was for this reason Morrow County has asked for a continuation of this hearing. The city, county, and developers had a meeting to discuss the proposed subdivision. The city received a letter on Monday, May 24, 2021, from the county with comments regarding access to Kunze Lane and for a barrier fence along Kunze Lane. They asked for a condition of approval for the developers to obtain an Access Permit from Morrow County Public Works for Kunze Lane.

Commission Chair Cain noted a couple errors in the staff report, Item number 2 references Tuscan Estates, not River Ridge, and item number 6 said no comments were received, and the city has received comments. Community Development Director Beyeler said he would correct those errors at time of the final staff report.

Commission Chair Cain asked for anyone who would like to speak for the Proponent's Case.

Caleb Stromstad, representative for the applicant, said the developers plan on building the common fence the county requested in their comments and wanted to clarify the condition applies only to the final phase of the development along Kunze Lane. He asked, also, Tamra Mabbott clarify on the traffic study.

Tamra Mabbott, Morrow County Planner, said they are in favor of the project and are not requesting a traffic study. They are asking for an Access Permit to Kunze Lane, and to coordinate with Morrow County Public Works Director Matt Scrivner prior to finalizing the final plat for the access. They also are asking for the common fence, once the subdivision is developed and an access is needed on Kunze Lane.

Commission Chair Cain clarified the process for the final plat and the roadway access were two different processes. Community Development Director Beyeler said yes, the roadway access will come from the county.

Commission Chair Cain asked for anyone who would like to speak for the Opponent's Case. There were none.

Commission Chair Cain asked for Public Agencies comments. There were none.

**Commission Chair Cain closed the public hearing at 7:16pm.
Commission Chair Cain resumed the regular meeting at 7:16pm.**

River Ridge Estates Phases 4-8 Deliberation

Commissioner Cole motioned to approve the preliminary plat of River Ridge Estates Subdivision Phases 4 through 8 with the following conditions:

1. Obtain access approval from Morrow County to Kunze Lane at the time of the affective phase is developed.
2. Construct a common fence along the entirety of the southern boundary of the subdivision at the time of the affective phase being developed.

Commissioner TenEyck seconded the motion. A roll call vote was taken: Commissioner Jimenez-yes, Commissioner TenEyck-yes, Commissioner Leighton-yes, Commissioner Irons-yes, Commissioner Cole-yes, Commissioner Barresse-yes, Commission Chair Cain-yes. The motion passed 7-0.

Amazon Data Services, Inc Partition Decision

Community Development Director Beyeler has received additional comments on this Type II Administrative Decision.

Oregon Department of Transportation has asked for the decision to consider the Transportation System Plan and the Interchange Area Management Plan (IAMP). Morrow County has asked for conditions of approval for this partition pertaining to access, street improvements and a dedicated easement across both parcels.

Community Development Director Beyeler said these issues have been addressed. The city requires a right-of-way and an easement as commented on. Currently, Bonneville Power Administration is reviewing those applications for consideration. The access would include a roadway from Oregon Trail Boulevard to SE Front Street to deal with traffic on the east side of Main Street. It's a matter of coming up with the funds to develop this roadway.

Commission Chair Cain said this is a Type II Decision and asked if Community Development Director Beyeler was looking for comments from the planning commission. Community Development Director Beyeler said he would consider the comments in his decision.

NEW BUSINESS

Public Hearing – PROffutt Limited Partnership Master Planned Development Project – PAPA01-2021

Commission Chair Cain announced the purpose of the Hearing is to receive public comment for a proposed Zone Change, Variance, and Preliminary Plat for tax lot 109 of Morrow County Tax map 4N2504. This will be a Master Planned Development.

Commission Chair Cain recessed the regular meeting at 7:30pm.
Commission Chair Cain opened the public hearing at 7:30pm.

Commission Chair Cain asked for abstentions. Commission Chair Cain declared a potential conflict of interest as he is an employee of the Port of Morrow and the Port of Morrow is the property owner of the property for this application. He will not participate but will continue to facilitate the Public Hearing. He asked for objections to the planning commission having jurisdiction to hear this application; there were none. He asked for the staff report.

Community Development Director Beyeler said the developer wishes to change the zoning from Light Industrial to Master Planned Development. They propose a mixed use of apartments, condominiums, retail commercial, and a common clubhouse. They have not provided a narrative regarding the proposed Home Owner's Association (HOA) and the Codes, Covenants, and Restrictions (CCR's). They are also asking for a variance to the street width to allow for a narrower 27' street. City code requires 30' with 2' ribbon curbs on each side. The fire department would like to see the round-a-bout removed and there be a straight intersection. The proposed development will require a traffic study.

Commissioner Cole is concerned about the narrow road widths request.

Commissioner Leighton asked about sidewalks. Community Development Director Beyeler said they have proposed pedestrian plans inside the development.

Commissioner Jimenez asked if the buildings will be 2-story or 3-story. Community Development Director Beyeler said he doesn't know however most condominiums are 2-story.

Commission Chair Cain asked if there would be a problem with approval if the applicant, PROffutt Limited Partnership, is not the owner of the property. Community Development Director Beyeler said there would be no issue. He also shared the city has never done a Master Planned Development before. This is the first application for one.

There was a discussion regarding the request for a variance on the road widths. The code requires 34', which includes the 2' ribbon curbs on either side. There was also discussion about off-street parking. Community Development Director Beyeler said the HOA should mitigate it with their CCR's.

Commission Chair Cain asked for anyone who would like to speak for the Proponent's Case. There were none.

Commission Chair Cain asked for anyone who would like to speak for the Opponent's Case. There were none.

Commission Chair Cain asked for Public Agencies comments. There were none.

Commission Chair Cain closed the public hearing at 8:04pm.
Commission Chair Cain resumed the regular meeting at 8:04pm.

PROffutt Limited Partnership Master Planned Development Project – PAPA01-2021 Deliberation

Commissioner Cole said there will have to be a traffic study. He would like to see the comments from the fire department addressed regarding the street widths, fire hydrant quantities and locations, on street parking and the round-a-bout.

Community Development Director Beyeler said he would like to see a condition of approval to include providing the information for the HOA and the CCR's.

Secretary McCauley asked for clarification on the motion needed to approve this application. Would there be three motions, one for the Zone Change, one for the Variance and one for the Preliminary Plat. Commission Chair Cain said there would be one motion for the decision on the Master Plan Development.

Commission Barresse felt more information was needed to consider this application. He cannot make an informed decision at this time. He asked if this would cause a problem with the developer's timeline to delay the decision. Community Development Director Beyeler said the developers want to start as soon as possible.

Commissioner Irons would also like more information including the HOA and the CCR's.

Commissioner Cole motioned to table this decision until the June 16, 2021 Boardman Planning Commission Meeting. Commissioner TenEyck seconded the motion. A roll call vote was taken: Commissioner Jimenez-yes, Commissioner TenEyck-yes, Commissioner Leighton-yes, Commissioner Irons-yes, Commissioner Cole-yes, Commissioner Barresse-yes, Commission Chair Cain-abstained. The motion passed 6-0 with 1 abstention.

Public Hearing – Freehold, LLC Conditional Use Request for RV Park

Commission Chair Cain announced the purpose of the hearing was to receive comment from the public regarding an application for a Conditional Use for an RV park on property zoned Tourist Commercial on tax lot 1600 of Morrow County Tax Map 4N2509CC.

Commission Chair Cain recessed the regular meeting at 8:25pm. Commission Chair Cain opened the public hearing at 8:25pm.

Commission Chair Cain asked for abstentions and there were none. He asked for objections to the planning commission having jurisdiction to hear this application; there were none. He asked for the staff report.

Community Development Director Beyeler read the staff report into record. He said he and the applicant disagree on the Boardman Development Code's interpretation. Community Development Director Beyeler does not see where a Conditional Use Permit for a RV park fits into this zoning. The applicant, David Jones, believes it does. Community Development Director Beyeler said to fit this request into a Conditional Use Permit, will require a Post Acknowledgement Planning Amendment (PAPA) to insert language for RV parks as a conditional use. Using Driftwood RV Park as a reference for anticipated density of an RV park, there are 88 spaces, and a clubhouse and pool, on 20.76 acres of ground which calculates out to 8.17 spaces per acre. The lot in question is 9.24 acres. At the 8.17 units per acre, this would yield 75 spaces; however, with no design drawings or supporting documentation to bolster the application, there is no way to determine intention or scope of the proposal.

Community Development Director Beyeler said the city has received a letter from the adjacent property owner, Don Russell. He is concerned about the traffic such a development would bring and how it would affect the IAMP.

Commission Chair Cain asked for anyone who would like to speak for the Proponent's Case. David Jones, applicant, said Chapter 2.2.180 (A) of the Boardman Development Code has language regarding catering to the traveling public at the I-84 interchange. He believes an RV park fits that description. He said it would not be like Driftwood RV Park, where there are long-term customers. He is talking with developers who

want to create a KOA or a Good Sam park. It would have a lot of amenities for the traveling public. He said although the code doesn't mention RV's it does mention motels. He said RV parks are not that much different than motels.

Commission Chair Cain asked for anyone who would like to speak for the Opponent's Case. Community Development Director Beyeler said he had the letter from Don Russell in opposition. David Jones said the IAMP is also a concern of his. Commission Chair Cain asked for an estimate on the number of trips per day generated by such an RV park. Community Development Director Beyeler said that a RV park is not listed in the book he uses to calculate trips per day.

Commission Chair Cain asked for Public Agencies comments. The city has received a letter from Morrow County recommending that if the planning commission interprets the code and finds an RV park is a similar use, they recommend the hearing be continued so the applicant can submit a detailed application with a detailed site plan to demonstrate evidence on how the RV park could comply with conditional use and design standards. They also request the application show how the RV park would comply with design and operational standards set forth in the IAMP.

Commission Chair Cain closed the public hearing at 8:40pm.
Commission Chair Cain resumed the regular meeting at 8:40pm.

Freehold, LLC Conditional Use Request for RV Park Deliberation

Commissioner Jimenez said she doesn't want to lose dedicated commercial space. She sees this proposed RV park as one like Driftwood RV Park.

Commission Chair Cain said the application is incomplete. There are no plans drawn to specifications. He said he wanted to see a site plan, possibly a traffic study to show its impact on the IAMP.

Commissioner Barressee said he doesn't see a Conditional Use Permit for the RV park fitting into Tourist Commercial. He said the request doesn't meet the requirements of the development code. He also said there was not enough information and a lack of detail to consider such a request. If he had that, he would feel more comfortable considering the request.

Commissioner TenEyck said even if the information was provided, it wouldn't matter what it looks like if it is still not allowed by code.

Commissioner Leighton motioned to deny the application based upon an incomplete application and a RV park not meeting the criteria of a permitted land use in accordance with Chapter 2.2.180 (A). Commissioner Irons seconded the motion. A roll call vote was taken: Commissioner Jimenez-yes, Commissioner TenEyck-no, Commissioner Leighton-yes, Commissioner Irons-yes, Commissioner Cole-yes, Commissioner Barressee – yes, Commission Chair Cain-yes. The motion passed 6-1.

Public Hearing – Ramandeep Malhi Subdivision Request

Commission Chair Cain announced the purpose of the hearing is to receive public comment regarding a proposed subdivision on tax lot 1900 of Morrow County Tax Map 4N2516BC.

Commission Chair Cain recessed the regular meeting at 8:58pm.
Commission Chair Cain opened the public hearing at 8:58pm.

Commission Chair Cain asked for abstentions and there were none. He asked for objections to the planning commission having jurisdiction to hear this application; there were none. He asked for the staff report.

Community Development Director Beyeler read the staff report into record. The applicant plans to create 15 lots for four-plexes on each lot for a total of 60 living units. The street will access from SW Willowfork Drive and end in a cul-de-sac towards Wilson Lane. He has received a phone call from an adjacent property owner, Gary Dolar, concerned about the easement to the west of the proposed subdivision which provides

access to his property. He had received comment from the fire department saying they require two fire hydrants, one at the entrance at lot 15 and one between lots 12 and 13.

Commissioner Cole said the access easement issue is a concern for him.

Commission Chair Cain asked for anyone who would like to speak for the Proponent's Case. Van Vorheese is representing the applicant. He said there will be off-street parking for residents, plus on-street parking for guests. The locations of the fire hydrants are okay. They want to work with the fire department. They will also work with the city to make sure adjacent property owners to the west continued to have an easement for their access.

Commission Chair Cain asked for anyone who would like to speak for the Opponent's Case. There were none.

Commission Chair Cain asked for Public Agencies comments. There were none.

**Commission Chair Cain closed the public hearing at 9:17pm.
Commission Chair Cain resumed the regular meeting at 9:17pm.**

Ramandeep Mahli Subdivision Request Deliberation

Commission Chair Cain said this is a good project. There is no opposition. The easement will be addressed. He had asked about a walking access from the cul-de-sac to Wilson Lane. He would like to see an improved walking path between lots 8 and 9.

Commissioner Irons motioned to approve the Ramandeep Subdivision preliminary plat with the following conditions:

1. Fire hydrants located at the entrance at lot 15 and one between lots 12 and 13.
2. Develop an improved walking path to access Wilson Lane in the 10' space located between lots 8 and 9.
3. Work with the city to ensure an easement for the adjacent property owners to the west of the development.

Commissioner Jimenez seconded the motion. A roll call vote was taken: Commissioner Jimenez-yes, Commissioner TenEyck-yes, Commissioner Leighton-yes, Commissioner Irons-yes, Commissioner Cole-yes, Commissioner Barresse-yes, Commission Chair Cain-yes. The motion passed 7-0.

Meeting was adjourned at 9:23pm