

BOARDMAN PLANNING COMMISSION MINUTES - VIDEO CONFERENCING MEETING

October 6, 2021

Commission Chair Jacob Cain called the meeting to order at 7:08 p.m.

Commissioners

in Attendance:

Sam Irons, Jennifer Leighton, Zach Barresse, Karla Jimenez, Ethan Salata, and Ragna TenEyck

Commissioners Absent: Jacob Cain

Staff:

Barry Beyeler - Community Development Director, Karen Pettigrew - City Manager, Jenn Rollins – City Recorder / HR, and Jackie McCauley – City Building Clerk

Audience:

Torrie Griggs – BCDA, Wendy Neal – UEC, Kelly Doherty, Cole Bodie – UEC, Lisa Midelsdorf – Port of Morrow, Ed Glenn, Chris Crean – City of Boardman, Rick Stokoe – Chief of Police, Jonathan Tallman, Tamra Mabbott – County Planning, Jim Doherty – County Commissioner, Wendie Kellington – Tallman's attorney

FLAG SALUTE

OLD BUSINESS

ZP 21-031 – Appeal UEC Transmission Line

Commissioner TenEyck asked if there were any comments from the Planning Commission – there were none. Chris Crean, the land use attorney for the City of Boardman, explained how the proceedings for old business should be presented by the Planning Commission.

Community Development Director Barry Beyeler gave an update regarding the 7/7/7 process and stated that several comments and communications were received during that period which were included in the packet for the commissioners.

Attorney Chis Crean explained the information received after the record was closed was not included in the information presented to the Planning Commissioners in their packet as it was not part of the record in regard to a decision made by the Planning Commission at this meeting; however, the information submitted would be retained by the City of Boardman as public record.

Community Development Director Barry Beyeler read options for how the Planning Commission could vote on the decision before them.

- 1.) Deny the appeal and affirm the decision to approve the application. In this case, the Planning Commission would adopt the proposed findings. The motion is:
- 2.) Deny the appeal and affirm the decision to approve the application, but with different facts. In this case, the Planning Commission will need to tell the City Staff what they want changed, then continue the hearing for two weeks so they can prepare updated findings. Alternatively, if the changes are minimal, they can amend the Findings of Fact on the record tonight and then adopt the Findings of Fact as amended. This requires two motions.
- 3.) Uphold the appeal and deny the application. In this case, the Planning Commission needs to direct you to what findings it believes are appropriate, then continue the hearing for two weeks so it can be prepared. Assuming the motion passes, the Planning Commission would then direct staff to prepare the necessary Findings of Fact and return in two weeks so the Planning Commission can review them and adopt a final decision.

Commissioner TenEyck was absent due to technical difficulties and Commissioner Barresse took over directing the proceedings.

Attorney Chris Crean clarified that the Planning Commission meeting is the continuation of the discussion of the appeal on the UEC Transmission Line. Commissioner Barresse confirmed that the deliberation was regarding the UEC Zoning Application ZP21-03.

Commissioner Barresse asked if any commissioners had any thoughts or ideas they would like to discuss; no other commissioners asked to comment. Commissioner Barresse stated he found the Staff Finding of Fact was in line with the City of Boardman's code and found no issues with the staff report. Commissioner Sam Irons made a motion to deny the appeal and affirm the decision, and stated, "Based on the testimony and evidence in the record, I move to adopt the Findings of Fact dated October 1, 2021, affirm the decision to approve the Zoning Application ZP21-03 and deny the appeal."

The motion was seconded by Commissioner Karla Jiminez.

Roll Call Vote: Sam Irons – Yes; Ethan Salata – Yes, Jennifer Leighton – Yes; Karla Jiminez – Yes; Zack Barresse – Yes; Jacob Cain – Absent; Ragna TenEyck – Absent. The motion carried 5-0 with two commissioners absent.

PAR 5-2021 – Appeal Glenn Partition

Commissioner Barresse asked if there was any additional information to add to the record; Community Development Director Beyeler stated there was no new information beyond what was included in the packet presented to the Planning Commission. Commissioner Barresse asked to open deliberation and asked if there were any questions or concerns from the other commissioners – there were no other comments, questions, or concerns made by other members of the Planning Commission.

Commissioner Barresse asked if the commission could entertain a motion; Commissioner Jiminez made a motion to deny the appeal and approve the partition.

Commissioner Irons seconded the motion.

Roll Call Vote: Sam Irons – Yes; Ethan Salata – Yes, Jennifer Leighton – Yes; Karla Jiminez – Yes; Zack Barresse – Yes; Jacob Cain – Absent; Ragna TenEyck – Absent. The motion carried 5-0 with two commissioners absent.

Commissioner Barresse recessed the regular meeting at 7:30 p.m.

Commissioner Barresse opened the public appeal hearing at 7:30 p.m.

NEW BUSINESS

Public Hearing – LU 21-004 – Variance Request of Woodhill Homes for 129 SW Eagle Drive

Commissioner Barresse stated the purpose of the public hearing was to hear a variance request from Woodhill Homes for 129 SW Eagle Drive, Tax Lot #912 (4N 25E 17DB). The request is for a Class C Variance which is a Type III decision process for the Planning Commission, consistent with Boardman Development Code (BDC) 5.1.100. The variance is for a front yard setback of 13.6' due to shape of the lot on a knuckle turn instead of the minimum set back of 15'; the garage is 17.4' which does not meet the minimum 20'.

Commissioner Barresse asked if there were any abstentions – hearing none, he asked if there were any objections to the jurisdiction – again no objections, so Commissioner Barresse asked Community Development Director Beyeler to read the Staff Report into record.

Staff Report

Community Development Director Beyeler read the Staff Report from September 29, 2021 – Subject: LU 21-004 Variance Request – Woodhill Homes 129 SW Eagle Drive.

Proponent's Case

None

Opponent's Case

None

Commissioner Barresse closed the public hearing at 7:35 p.m.
Commissioner Barresse resumed the regular hearing at 7:35 p.m.

Deliberation by Council

Commissioner Barresse asked to entertain a motion; Commissioner Jiminez made a motion to approve the variance LU 21-004 as requested and the motion was seconded by Commissioner Leighton. Roll Call Vote: Sam Irons – Yes; Ethan Salata – Yes, Jennifer Leighton – Yes; Karla Jiminez – Yes; Zack Barresse – Yes; Jacob Cain – Absent; Ragna TenEyck – Absent. The motion carried 5-0 with two commissioners absent.

Meeting was adjourned at 7:39 p.m.