

BOARDMAN PLANNING COMMISSION MINUTES- REGULAR MEETING-OCTOBER 16, 2019

Commission Chair Jacob Cain called the meeting to order at 7:00 p.m. and he led the group in the Pledge of Allegiance.

Commissioners Present: Jacob Cain, Logan Mayfield, Adam Cole, Cynthia Navarro, and Ryan Kreps

Absent: Zack Barresse-excused and Michelle Seeley-excused

Staff: Barry Beyeler-Community Development Director, and Jackie McCauley-Recorder

Audience: Iglesia Evangelica Jesuchristo Vienepronto Church Members: Edgar Calderon, Dianna Calvillo, Israel S., Luis Sepulveda, Maria G. Sepulveda, Johana Sepulveda, Tomas Mendoza, Roselia Calvillo, Sabino Calvillo, Matia Calvillo, and Joel Dela Cruz

APPROVAL OF MINUTES

Commissioner Mayfield motioned to approve the minutes of July 31, 2019 as presented. Commissioner Cole seconded the motion. The motion passed 5-0-2 absent.

OLD BUSINESS

Tradewinds Subdivision Update

Community Development Director Beyeler came across an advertisement for an auction for Tradewinds Subdivision. The previous developers had received approval for subdividing this property by the planning commission, but the plat was never filed and that approval has expired. The owners have had their assets seized and their property has been put into receivership. The minimum bid for the 27 plus acres is \$325,000.00 and the auction will be held November 13, 2019. The conceptual drawing on the ad is misleading because they show where houses would be placed under the BPA Transmission Lines and shows property that is currently owed by VaData, Inc. as part of the property to be auctioned. Mr. Beyeler has never seen property change this way except by a governmental agency. The new developers may not have to start from scratch if they want to subdivide because the previous developers had already received approval.

Commission Cole asked if the new developers would need to come before the planning commission to subdivide. Community Development Beyeler said yes. They can work with the new developers for subdividing it to make it work the current transportation system plan.

NEW BUSINESS

Public Hearing

**Commission Chair Cain recessed the regular Planning Commission Meeting at 7:05pm.
Commission Chair Cain opened the Public Hearing at 7:05pm.**

Public Hearing – Type III Conditional Use Permit – Iglesia Evangelica Jesuchristo Vienepronto Church

Commission Chair Cain announced the purpose of this hearing is to hear testimony regarding a request for a Conditional Use Permit for a new church.

Call for abstentions – none.

Call for objections to the jurisdiction – none.

Staff Report - Community Development Director Beyeler received application for a Conditional Use Permit on September 9, 2019. The request is for a 3,200 square foot church to be located on Morrow County Tax Map 4N2517AC 3000. The address will be 580 W. Wilson Lane. The lot is 2 acres in size and 140.5 feet wide by 620 feet deep. Making this a long narrow lot. The lot is zoned Multi-Family Subdistrict. In accordance with Boardman Development Code, churches are defined as a Conditional Use and as such will require conditional use approval from the planning commission.

The proposed church will have a maximum occupancy of around 144 people, based on the seating in the proposed pews. Developers propose 32 parking spaces with 2 ADA spaces. The Boardman Development Code would require 36 spaces.

The Boardman Rural Fire Protection District has not commented on this project; however, the project will be discussed with them during the site team review regarding fire protection.

The traffic impacts on Wilson Lane will not trigger the need for a traffic impact study.

This hearing tonight was publicly noticed on September 26, 2019.

There are a few conditions which could be considered by the Commission with this project.

- 1) Requiring additional parking to meet the existing criteria in §3.3.300(A)(4).
- 2) Create a circulation pattern, by Fire Lane, around the building.
- 3) Obtain all required building permits (building, mechanical, plumbing, and electrical).
- 4) Submit application for City of Boardman utilities.
- 5) Meet landscape requirements found in Chapter 3.2 of the BDC.
- 6) Meet the criteria of Chapter 3.5 – Storm water Management, of the BDC.
- 7) Other issues identified by the Commission.

The Religious Land Use and Institutional Persons Act (RLUIPA) is federal law which the city must meet. A religious facility can only have conditions any other facility, of the A-3 occupancy, would have placed upon them.

Proponent's Case - Edgar Calderon of Iglesia Evangelica Jesuchristo Vienepronto Church said it has been two years since they have been before planning commission with this project. He said the building will be a place of worship. They meeting on Tuesdays, Thursday, Saturdays, and Sunday at 6:00pm.

Commissioner Mayfield asked Mr. Calderon if they would be opposed to adding more parking spaces. Mr. Calderon said no.

Opponent's Case – None

Public Agencies - No agencies have contacted the city for this hearing.

Community Development Director Beyeler said no one has contacted the city regarding this project.

Commission Chair Cain closed the Public Hearing at 7:15pm.

Commission Chair Cain reconvened the regular meeting at 7:15pm.

Deliberation – Conditional Use Permit - Iglesia Evangelica Jesuchristo Vienepronto Church

Commission Chair Cain asked if the bike path along Wilson Lane is adjacent to this property and is the bike path in a city right of way or on public property. Community Development Director Beyeler said yes, the bike path is adjacent to the property and is partially on city right of way and public property.

Edgar Calderon asked if they could put in a gravel parking lot. Community Development Director Beyeler said other churches in Boardman have gravel parking lots, however, ADA parking could not be graveled. Commission Chair Cain asked if it was up to the planning commission to decide if they could put in a gravel parking lot. Community Development Director Barry Beyeler said that would be something discussed during the Site Team Review.

Commission Chair Cain asked about the fire departments input regarding a circulation pattern of a fire lane. Community Development Director Beyeler said they would discuss this during the Site Team Review.

Commission Cole said the fire department has to have access to three sides of the building. It doesn't have to be paved, gravel would be ok.

Commissioner Mayfield said he does not see any problems with approving the project. Community Development Director Beyeler said the conditions listed in the staff report would need to be met and if the planning commission had any other conditions required.

Commission Chair said on Condition 1, the commission should require 36 parking stalls. On Condition 2, the commission should require a fire department consultation for a circulation pattern. He said the commission should also require reconstruction of the bike path.

Commissioner Cole motioned to approved the Conditional Use Permit with the following conditions:

- 1) Requiring 36 parking spaces to meet the existing criteria in §3.3.300(A)(4).
- 2) Consult with the fire department regarding the creation of a circulation pattern, by Fire Lane, around the building.
- 3) Obtain all required building permits (building, mechanical, plumbing, and electrical).
- 4) Submit application for City of Boardman utilities.
- 5) Meet landscape requirements found in Chapter 3.2 of the BDC.
- 6) Meet the criteria of Chapter 3.5 – Storm water Management, of the BDC.
- 7) Reconstruction of the Multi-Use Path, equal to existing, and may contain ADA requirements.

Commissioner Mayfield seconded the motion. The motion passed 5-0-2 absent.

Meeting was adjourned at 7:36pm