

**CITY OF JOHN DAY
PLANNING COMMISSION
JOHN DAY, OREGON**

4.21.20 Minutes

COMMISSIONERS PRESENT:

Ken Boethin, Commission Chair
Neale Ledgerwood, Commissioner
Tim Unterwegner, Commissioner
Liz Aleman, Commissioner

COMMISSIONERS ABSENT

Darin Toy, Commissioner
Tom Wilson, Commissioner

STAFF PRESENT:

Nicholas Green, City Manager

Daisy Goebel, Associate Planner

Agenda Item No. 1—Open and Note Attendance

Chairman Ken Boethin called the virtual Planning Commission meeting to order at 6:04PM.

Agenda Item No. 2—Appearance of Interested Citizens

Chairman Boethin welcomed the audience, none appearing.

Agenda Item No. 3—Approval of Prior Minutes

The minutes from March 12th, 2020 were presented. No corrections were noted.

Commissioner Ledgerwood moved to approve the minutes from March 12th, 2019. The motion was seconded by Commissioner Unterwegner and passed unanimously.

Agenda Item No. 4—Continuance on CUP-19-03

Chair Boethin asked if any commissioner wished to declare a conflict. *None appearing.*

Planning staff reviewed the prior discussion on this land use action. Staff noted that decisions made by the planning commission based on conditions of the CCRs were not appropriate but they must make a decision based on findings related to the City Development Code and information provided for the public record. The revised staff report highlighted some of the information the commission can choose to consider in order to evaluate the proposal. The commission must essentially determine if Mr. Burton provided substantial information to determine not to approve and/or did the applicant provide sufficient information to determine there will be no adverse effects as it relates to the code. It was noted that the applicant can appeal their decision to the City Council but the commission must make a decision.

Commissioner Ledgerwood commented on the significance of mitigation efforts on the part of the applicants to provide no more obstruction to the view than is allowed under the code under current height restrictions and allowable landscaping. Commissioner Unterwegner and Chairman Boethin stated

that they stand by their original comments for reason of approval. Commission Aleman stated considering whether the structure would cause negative impacts, she clarified that they all agreed based on the schematics presented the 18.5 ft structure would exceed street level by over 3 feet and would be 9.25 feet above ground at the unexcavated point.

Chair Boethin asked if any member of the public wished to speak in favor or opposed to the proposal. *None Appearing.* The public hearing was closed at 6:21 PM.

Commissioner Aleman noted that from the photos and schematics provided by the applicant she is concerned that while the western neighbors view to the south of Canyon Mountain would not be impaired, the view to the East of the Strawberry Mountains would be compromised. Associate Planner noted that it will be a sloped roof and therefore not necessarily a total horizon obstruction. Steve Smartt noted it was slightly lower than the photo and he dug down so as to not impede his view, assuming it would also not impede a neighbor. City Manager Green noted that Mr. Smartt had provided sufficient information to warrant a complete application to base a decision on.

Commissioner Unterwegner made a motion to approve the CUP-19-03, based on findings in the staff reports and relevant public testimony. The motion was seconded by Commissioner Ledgerwood and passed with three in favor(Unterwegner, Ledgerwood, and Boethin) and one opposed(Aleman).

Agenda Item No. 5—CUP-20-03

Chair Boethin explained that comments must be sufficient in order to constitute an appeal asked if any commissioner wished to declare a conflict. *None appearing.*

Commissioner Boethin then asked staff to present the staff report. Mrs. Goebel provided a summary of the request. The applicant would like to build a 30-ft. tall accessory structure on his residential lot. Chairman Boethin asked if there was any concern regarding the airport, Goebel noted they had provided notice but did not receive any comments of concern. Commissioner Ledgerwood noted he would have liked a better map of the property but based on his knowledge, height obstruction was not a concern.

Chair Boethin asked if anyone wished to speak in favor of the proposal. *None appearing.*

Chair Boethin asked if anyone wished to speak against the proposal. *None appearing.*

Chair Boethin closed the public hearing at 6:26 PM.

Commissioners inquired about the proposed use, noting the extreme height. City Planner Green noted the application only stated the use would be for a shop.

Commissioner Aleman moved to approve CUP-20-03 based on the applicable public testimony along with the findings and subject to the conditions of approval contained in the staff report. The motion was seconded by Commissioner Unterwegner and passed unanimously.

Other Business and Upcoming Meetings

Staff noted that the next meeting would be a joint meeting, likely virtual, with the City Council at 7:00 PM on May 12th regarding code amendments. Commissioner Ledgerwood stated he would prefer to at least hold the meeting with the Commission together.

Commissioner Ledgerwood moved to adjourn the planning commission meeting at 6:31 PM.
Commissioner Unterwegner seconded and the motion passed unanimously.

Respectfully Submitted:

Nicholas Green
City Manager

ATTEST



Ken Boethin, Chairman

05-12-20
Date