

CITY OF JOHN DAY
PLANNING COMMISSION
JOHN DAY, OREGON

Meeting Minutes- November 18th, 2020

COMMISSIONERS PRESENT:

Ken Boethin, Commission Chair
Neale Ledgerwood, Commissioner
Tom Wilson, Commissioner
Tim Unterwegner, Commissioner (Virtual)
Darin Toy, Commissioner (Virtual)
Liz Aleman, Commissioner (Virtual)

COMMISSIONERS ABSENT:

None

STAFF PRESENT:

Daisy Goebel, Associate Planner
Nick Green, City Manager

GUESTS PRESENT:

Eva Harris
Ashley Stevick
Ken Katzeroff
Garrett Chrostek
Patti Rathbone
Ruddy Diaz

Agenda Item No. 1—Open and Note Attendance

Chairman Ken Boethin called the Planning Commission meeting to order and noted that everyone was present. He opened the hearing 6:04 PM

Agenda Item No. 2—Approval of Meeting Minutes

Chairman Boethin presented the minutes from May 12, 2020. No additions or corrections were made.

Commissioner Wilson made a motion to approve the minutes from May 12. The motion was seconded by Commissioner Ledgerwood and passed unanimously.

Chairman Boethin presented the minutes from June 30, 2020. No additions or corrections were made.

Commissioner Wilson made a motion to approve the minutes from June 30. The motion was seconded by Commissioner Ledgerwood and passed unanimously.

Agenda Item No. 3—Appearance of Interested Citizens

Chairman Boethin welcomed the general public and asked if any citizens were present for anything not on the agenda. None appearing.

Agenda Item No. 4—Home Occupation Permit HOP-20-01

Chairman Boethin asked if any members of the planning commission wished to declare a conflict of interest or significant ex-parte contact. None appearing.

Staff presented the proposal for Ashley Stevick to use her residence as a commercial yoga studio at 410 NW Bridge St. The proposal met all development code criteria with the exception of parking requirements. The proposal had received broad support from the community in written public comments, but no testimony was presented at the time of the hearing. Chairman Boethin closed the public portion of the hearing at 6:08 PM and opened it up for discussion among the planning commission. Chairman Boethin noted that Stevick had received a temporary permit to operate the home occupation. Commissioner Aleman noted that the application proposed a broader set of community events beyond yoga and asked what that would entail. Stevick responded that the workshops and events were included to be an opportunity for community gathering during COVID shutdowns but would all be tangentially related to the yoga business.

Commissioner Aleman made a motion to approve Home Occupation Permit HOP-20-01. Commissioner Toy Seconded and the motion passed unanimously. The matter was closed at 6:10 PM.

Agenda Item No. 5—LP-20-02 Land Partition and Property Line Adjustment for Eva Harris

Chairman Boethin opened the hearing at 6:12 PM and asked if any members of the planning commission wished to declare a conflict of interest or significant ex-parte contact. None appearing. Staff presented the proposal to divide the lot in order to sell the portion of the property within the Runway Protection Zone (RPZ) to the Grant County Regional Airport and retain the portion of the property for sale or future development. A notional future division plan was presented. Commissioner Ledgerwood asked whether the FHA was consulted for this proposal. Staff clarified that the airport was notified, but because no development was proposed, the action will not be affected by existing regulations.

Eva Harris presented testimony regarding her reason for proposing the property line adjustment. Harris objected to the requirement for a maximum-density future re-division plan because the plan did not, in her view, comply with the airport master plan. She expressed a desire for the city to amend the code to comply with the airport and FAA standards. Staff noted that the City Code was written in 2005 while the Airport Master Plan was created much more recently. Chairman Boethin asked if any other members of the public wished to comment in support or opposition of the proposal. None appearing. The public portion of the hearing was closed at 6:20 PM and discussion was opened amongst the planning commission. Commissioner Aleman noted the future re-division plan is not binding by any of the parties. Harris remarked that this did address her plans, but that her primary concern was that the city's code didn't align with the airport master plan.

Commissioner Toy made a motion to approve LP-20-02 and PLA-20-10. Commissioner Aleman seconded the motion and it passed unanimously.

Agenda Item No. 6—SDR-20-02 Innovation Gateway Industrial Park

Staff explained the proposal and noted its alignment with the Innovation Gateway Master Plan. The industrial/commercial zoning of the overlay zone allows the city to subdivide this area into 12 lots and connect it to the city's transportation system. The project will begin after the environmental remediation process is complete and after completion, the lots will be places for sale to the general public at fair market value. Chairman Boethin asked if any members of the public wished to speak in favor or in opposition of the proposal. None appearing. The public hearing was closed at 6:27 PM and opened up for discussion among the planning commission. Commissioner Unterwegner asked what was involved in the environmental remediation process. City Manager Green explained that prior uses of the property warranted an environmental assessment to ensure that there were no contaminants and environmental hazards on the site. The Phase I assessment identified potential areas of concern, the Phase II assessment included core drilling and found expected (non-hazardous) levels of arsenic and diesel fuel that had infiltrated the soil from above-ground storage tanks. Remediation of the diesel infiltration will be done through excavation and removal of the contaminated soil or capping the area with asphalt. The final abatement method decision will be made by the city council. Commissioner Aleman noted that Green mentioned 12 drilling holes in the Phase II ESA while only 4 were mentioned in the staff report. Green clarified that only 4 were done at this site. Commissioner Toy asked about the floodplain area of the provided map. Green clarified that the majority of the site is within the floodplain and brought up a clearer version of the floodplain on Google Earth. Toy asked how big a concern the floodplain is for potential development. Green noted that the elevation is close to being above BFE so it wouldn't be difficult to bring in fill to bring the site into compliance. Commissioner Unterwegner asked about the wetland delineation. Green noted that the ODFW fish screen qualified as a wetland area, but it would not affect the buildability of the lot. Aleman asked if the city is required to create a buffer around established wetlands. Green clarified that the only requirement for the city is to have a wetland mitigation strategy in the event that it is impacted, although no wetlands are anticipated to be affected by this proposal. Commissioner Aleman asked why the shop is proposed to remain on the site. Green noted that the facility is in good condition and may be leased or sold by the city. Aleman further inquired about the location of the diesel infiltration and whether the remediation would occur prior to development. Green clarified that the remediation would be done prior to development, although there is an option to retain the affected lot and remediate the issue at a later date. The full extent of the infiltration cannot be definitively determined until excavation begins if that is the route recommended by the City Council. Chairman Boethin asked for further discussion. None appearing. Commissioner Unterwegner motioned to approve SDR-20-04. The motion was seconded by Commissioner Ledgerwood and passed unanimously.

Agenda Item No. 7—SDR-20-04 Hill Family Park

Chairman Boethin opened the hearing at 6:12 PM and asked if any members of the planning commission wished to declare a conflict of interest or significant ex-parte contact. None appearing. Staff presented the proposal to create a riverfront park in alignment with the Innovation Gateway Master Plan. This proposal will allow the city to develop river access, trail connections, a pedestrian bridge, a new parking lot with ADA parking, restrooms, lighting. These improvements are fully funded and shovel-ready. A reciprocal property line adjustment will need to be completed prior to trail access.

Chairman Boethin asked if any members of the public wished to speak in favor or in opposition of the proposal. None appearing. The public hearing was closed at 6:45 PM and opened for discussion among the planning commission. Commissioner Aleman asked if motorized access would be anticipated at the site. Staff confirmed that the parking lot would be the only portion of the property that would be fully vehicle accessible. The trails and bridge would be accessible only by pedestrians and small motorized vehicles such as scooters and maintenance vehicles.

Commissioner Toy asked if Parks and Recreation were involved in the project. City Manager Green informed the commission that Parks and Recreation had been integral to the planning and funding process, but the maintenance would be done by city staff. Commissioner Aleman expressed concern about the juxtaposition of pedestrian and motorized uses and encouraged the city to give more consideration to pedestrian safety. Aleman also recommended the City provide site interpretation features at the park after further development. Chairman Boethin asked if there was any further discussion. None Appearing. Commissioner Unterwegner made a motion to approve SDR-20-04. Commissioner Toy seconded and the motion passed unanimously.

Agenda Item No. 8—AMD-20-10

This agenda item was postponed by city staff due to an error in the DLCD notification process. DLCD requires 35-day notice while the city requires 45-days. A staff oversight resulted in only 41-days' notice being given, so the matter was postponed by citizen request. This proposal will be addressed on January 12th, 2021. Commissioner Ledgerwood moved to postpone the matter until January 12. The motion was seconded by Commissioner Wilson and passed unanimously.

Agenda Item No. 9—AMD-20-11

Chairman Boethin opened the hearing at 6:58 PM and asked if any members of the planning commission wished to declare a conflict of interest or significant ex-parte contact. None appearing. Staff gave background regarding the deficit of workforce and low-income housing and the proposal to update standards for future manufactured home park development. Chairman Boethin asked if any member of the public wished to speak in favor or opposition to the proposal. Ken Katzeroff, attorney for Riverside Home Park commented in opposition to the unit size requirements and expressed concern about whether the ordinance fulfills the clear and objective standards requirement. Katzeroff submitted comments prior to the hearing for commission consideration. Patti Rathbone commented in opposition to the proposal as well because she felt it wouldn't benefit the resident of Riverside Home Park. Commissioner Aleman asked what interest Rathbone has in the park and she clarified that she has a financial interest in the home park. Chairman Bothin closed the public hearing at 7:08 PM and opened it for discussion among the planning commission.

Commissioner Aleman asked about the discrepancy between the proposed play area square footage in the staff report compared to the proposal presented on May 12, 2020. A 5,000 square foot minimum was proposed in May, but the proposed requirement was reduced to 2500 after that meeting. The 2500 sq. ft. is a state requirement under ORS 446.095, but the commission may request more restrictive requirements. Green addressed the clear and objective standards and recommended staff revisit the standards for manufactured dwelling quality. Aleman further inquired about why some standard were changed. Commissioner Ledgerwood remarked that he did not want to see businesses burdened by further regulation and wants to see the ordinance remain without further restrictions. Commissioner Wilson expressed agreement with that sentiment.

Chairman Bothin requested the Staff re-work the amendment and present it to the commission again on January 12th, 2021. Bothin moved that staff re-draft the proposed amendment and present it at the next meeting. Commissioner Ledgerwood seconded and the motion passed unanimously.

Other Business

No other business was presented.

Commissioner Ledgerwood made a motion to adjourn the meeting at 7:30 PM. Commissioner Wilson seconded and the motion passed unanimously.

Respectfully Submitted:

Nicholas Green

City Manager

ATTEST



Ken Boethin, Chairman

01-14-2021

Date