**CITY OF JOHN DAY**

**PLANNING COMMISSION**

**JOHN DAY, OREGON**

**Minutes**

June 3, 2021

**COMMISSIONERS PRESENT:**

Ken Boethin, Commission Chair

Liz Aleman, Commissioner

Sarah Brown, Commissioner

Shannon Adair, Ex Officio Member on behalf of Heather Rookstool

Ron Lundbomb, Ex Officio Member on behalf of Dave Holland

**COMMISSIONERS ABSENT:**

Darin Toy, Commissioner

Neale Ledgerwood, Commissioner

Tom Wilson Commissioner

Tim Unterwegner, Commissioner

**STAFF PRESENT:**

Nick Green, City Manager

**GUESTS PRESENT:**

Joe Hitz, Sisul Engeneering

Josh Walker, applicant- The Ridge

King Williams, Iron Triangle LLC

**Agenda Item No. 1—Open and Note Attendance**

Chairman Boethin called the Planning Commission meeting to order at 6:00 PM and reviewed the public hearing procedures and appeal requirements.

**Agenda Item No. 4—MPD-21-02 The Ridge Phase I**

Chairman Boethin opened the hearing for MPD-21-02 at 6:02 PM and noted that a quorum was present. This item was continued from the May 20 meeting. Boethin asked Joe Hitz to address the proposal. Hitz reviewed the items that the planning commission had requested further information and/or changes on. The developers’ landscaping plan includes clearing of Junipers without disturbing native vegetation and deciduous trees and re-planting the site with healthy pine trees and native grasses and shrubs.

Hitz addressed the walkway design and construction proposal next. The proposed roads are to consist of 25-foot wide paved pathways to accommodate pedestrian, vehicle, and bicycle traffic. Sheet 5 shows the paved access ways and unpaved pedestrian trails. Hitz proceeded to speak to the architectural concept and noted that the applicant planned to negotiate planned developments at the time lots are sold. As for parking, Hitz noted that no street parking will be provided but each unit would be required to plan for additional parking on the lots themselves. The cul-de-sac length requirements were discussed and approved by the public works director and fire chief- emails between the applicable department heads were included as exhibits to the proposed master planned development application. The applicant continued to request a variance to street lighting standards. The proposal did not include the installation of traditional streetlights, but required individual developers to include single light-sources at the end of each driveway to supplement the street lighting standards. Commissioner Aleman asked who would be responsible for the maintenance of the lights and Hitz clarified that the lights would be on the property owners’ side of the property line and owners would be responsible.

A future re-development plan was included with greater detail per commission recommendations. Hitz also proposed that the first lift of asphalt be installed within 24-months of subdivision approval, in response to the City’s request that the streets be fully completed within this timeframe. The proposal doesn’t include final paving because the developer wishes to wait to complete it until after most of the development is completed. Finally, Hitz addressed the identified wetland area. Since the wetland was pointed out on May 20, the applicant revised the plan to not affect the wetland in the first phase of the project by shortening the street by 60 ft. Hitz noted that later development may require environmental studies and permits from DLS and US ACOE and disturbance of the area could be mitigated with bridges, drainage, and other measures.

City Manager Green requested that the documents presented be included in the record for the application. Boethin submitted them as public record and asked if any member of the public wished to speak in favor or in opposition to the proposal. *None appearing.* Boethin closed the hearing at 6:20 PM and opened the matter up for discussion among the planning commission. Commissioner Aleman asked who would be responsible for the maintenance of the multi-modal paths included in the proposal. Josh Walker noted that the developers would initially be responsible for them, but a maintenance agreement could be made with Parks and Recreation, the Eastern Oregon Trails Alliance, or the City if they wished to do so in the future. City Manager Green remarked that staff is contemplating a joint maintenance agreement with both developers as a public-private partnership. Green recommended that the commission allow the City Council to negotiate the specifics of this agreement prior to the approval of the final plat. Sarah Brown made a comment regarding the absence of on-street parking, noting that people would park on the street regardless if formal “on-street” parking was provided or not. Brown also expressed concern that the lack of street lighting may provide a danger to children on the roadway and off-street paths. Shannon Adair noted that in areas of the City where street lighting does not currently exist, nighttime pedestrian danger is not a significant risk. Josh Walker indicated that he would be amenable to soft bollard-style lighting, signage, or reflective posts to address safety issues, but did not think that traditional street lights would provide a benefit to the future residents of the development. Green recommended addressing the safety concerns in the joint-management agreement with the city to ensure that a compromise is found prior to the approval of the final plat.

Chairman Boethin asked if there was any further discussion. *None appearing.*

*Commissioner Brown made a motion to approve MPD-21-02 based on the findings contained in the staff report with the conditions discussed regarding the joint development agreement and approval of the lighting plan. Commissioner Aleman seconded the motion and it passed unanimously.*

**Agenda Item No. 5—MPD-21-01 Ironwood Estates Phase II**

Chairman Boethin opened the hearing for MPD-21-01 and noted that a quorum of planning commissioners was present. Boethin reviewed the discussion from May 20 on the matter and reminded the public that the hearing was continued at that time with 14 items requested for review prior to approval. Joe Hitz reviewed the proposal and addressed the items as requested. The original application proposed a reduction in open space from 25% to 16.9%, but after discussion the applicant requested a further modification to eliminate the open space altogether. The architectural concept was presented by the applicant along with the proposed CCR’s.

Boethin included the materials presented into the public record. Hitz reviewed the drainage plan and noted the included drainage approval from the public works director. In regard to the walkway design and construction Hitz noted that despite noncompliance with the code, the system is accessible and walkable. The proposed trails were removed from the plan due to the steep nature of the grade. Hitz discussed the landscaping plan and reminded the commission that it does not include street trees, fences, or formal landscaping due to the nature of the site and consistency with the first phase of the subdivision.

King Williams addressed the proposed access improvements and the rationale for the requested variance. Williams expressed concern that it would be economically difficult to fully develop the infrastructure prior to the initial lot sales unless the variance for differed paving was approved. Williams requested the street alignment requirement be waived to increase the number of buildable lots on the site. This modification would make future development of the neighboring lot prohibitive.

Hitz noted that the applicant requested a waiver of the street parking requirement similar to the prior proposal and a modification to the required cul-de-sac length as approved by the public works director and fire chief. The street light standards are also not met by the proposal, and would be the obligation of the property owners, similar to the prior proposal. As requested by a neighboring property owner at the prior meeting, a concerning stormwater management culvert was removed from the proposal. Finally, Hitz addressed the requested future redevelopment plan. The applicant does not see a need for a future re-development plan due to the terrain of the site and requested the requirement be waived. Hitz clarified that future phases of the development would be submitted for approval in a separate preliminary plat.

Chairman Boethin asked if any members of the public wished to speak in favor or in opposition to the proposal. *None appearing.* The public hearing was closed at 6:50 PM and opened for discussion among the planning commission.

Commissioner Brown remarked that she was disappointed there would not be trails included in the plan. Shannon Adair agreed with Brown’s comment. King Williams responded that the trails may decrease property values in the neighborhood. Commissioner Liz Aleman noted that the proposal made sense due to the steepness of the terrain. City Manager Green addressed the request that Williams made to postpone paving the street until 80% of the lots sell. Green remarked that the modification was not within the authority of the Planning Commission and would not be permitted indefinitely. Due to the economic constraints, Green recommended that the planning commission require a joint maintenance agreement ensuring the lots are paved in a timely manner prior to approval of the final plat.

King Williams closed the discussion outside of the public hearing time by ensuring his intention to develop the property in an intentional way that makes economic sense.

*Chairman Boethin made a motion to approve AMD-21-01 based on the findings contained in the staff report with the condition that the roads be paved in a timely manner in accordance with an approved joint maintenance agreement approved by City Staff. Commissioner Brown seconded the motion and it passed unanimously.*

**Other Business and Upcoming Meetings**

Chairman Boethin asked if there was any other business to present. *None appearing*.

*Commissioner Brown made a motion to close the meeting at 7 PM. The motion was seconded by Commissioner Aleman and passed unanimously. Meeting adjourned.*

Respectfully Submitted:

Nicholas Green

City Manager

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Ken Boethin, Chairman Date