

URBAN AREA PLANNING COMMISSION

MEETING MINUTES

July 27, 2016 – 6:00 P.M.

Council Chambers

1. ROLL CALL:

The Urban Area Planning Commission met in regular session on the above date with Chair Gerard Fitzgerald presiding. Vice Chair Jim Coulter and Commissioners Loree Arthur, David Kellenbeck, and Dan McVay were present. Commissioners Lois MacMillan, Blair McIntire, and Robert Wiegand were absent. Also present and representing the City was Parks & Community Development (hereafter: PCD) Lora Glover and Justin Gindlesperger and City Council Liaison Rick Riker.

2. ITEMS FROM THE PUBLIC: None.

3. CONSENT AGENDA:

- a. **MINUTES: July 13, 2016** **Pg. 1-10**
- b. **FINDINGS OF FACT: 402-00100-16 – Stutzman – Dowell Road
Comprehensive Plan Map Amendment** **Pg. 11-22**

MOTION/VOTE

Commissioner Coulter moved and Commissioner Arthur seconded the motion to approve the minutes from June 8, 2016 as amended. The vote resulted as follows: “AYES”: Chair Fitzgerald, Vice Chair Coulter, and Commissioner McVay. “NAYS”: None. Abstain: Arthur and Kellenbeck. Absent: Commissioners MacMillan, McIntire, and Wiegand.

The motion passed.

4. PUBLIC HEARINGS:

- a. **104-00102-16 – Blackberry Lane Subdivision Tentative Plan – Staff Report** **Pg. 23-74**
 - Chair Fitzgerald stated, at this time I will open the public hearing to consider Application 104-00102-16 – Blackberry Lane Subdivision Tentative Plan. We will begin the hearing with a staff report followed by a presentation by the applicant, statements by persons in favor of the application, statements by

persons in opposition to the application, and an opportunity for additional comments by the applicant and staff. After that has occurred, the public comment portion will be closed and the matter will be discussed and acted upon by the Commission. Is there anyone present who wishes to challenge the authority of the Commission to consider this matter? Seeing none do any Commissioners wish to abstain from participating in this hearing or declare a potential conflict of interest? Seeing none are there any Commissioners who wish to disclose discussions, contacts, or other ex parte information they have received prior to this meeting regarding this application? Seeing none in this hearing the decision of the Commission will be based on specific criteria which are set forth in the development code. All testimony which apply in this case are noted in the staff report. If you would like a copy of the staff report please let us know and we will try and get you one. It is important to remember if you fail to raise an issue with enough detail to afford the Commission and the parties an opportunity to respond to the issue you'll not be able to appeal to the Land Use Board of Appeals based on that issue. The hearing will now proceed with a report from staff.

- Justin gave the staff report.
- Commissioner Fitzgerald noted that the application is for 38 lots rather than 37 lots and asked if that would make a difference. Justin let him know that it would not. Commissioner Fitzgerald would like that corrected in the application.
- Commissioner Kellenbeck asked if there was on street parking on Leonard Rd and if there will be on street parking on Raydean. Justin said he wasn't sure on Leonard but there will be on Raydean and Blackberry.
- Commissioner Kellenbeck asked if there was any future plan for Raydean to be continued. Justin said that it would dead end at the adjacent property. Lora clarified that due to existing property it is not on the master plan to continue but that could change in the future if the surrounding properties were to be redeveloped. Commissioner Kellenbeck asked if there was a reason that the street didn't end in a cul-de-sac after receiving this information. He is also concerned about parking in the area.
- Commissioner Fitzgerald would like to know about the ownership of the detention ponds and how they will be maintained.

- Justin Gerlitz – Gerlitz Engineering Consultants – Mr. Gerlitz let the commission know that they have worked diligently with the City to get this plan moving forward. The plan is for a 38 lot development with the extra piece for future development. The homes will be three bedroom, two bath with 2 car garages.
- They worked with the fire marshal on parking and to keep the area fire safe they are creating three parking spots for each lot that fronts on the private street and a dedicated fire lane.
- There will be additional parking on Raydean and Blackberry but not on Leonard as it has a different classification. It will however be striped and signed to County specifications.
- Mr. Gerlitz clarified that the street being stubbed out was at the City's request to be at a better advantage in case of possible development and continuation of the road in the future.
- Commissioner Fitzgerald asked if the storm drain system would be maintained through an HOA. Mr. Gerlitz let the commission know that in past development projects Steve Scrivner has requested that they develop the drains and the landscaping and the City will take over maintenance from there. Lora clarified that Public Works would need to review the plans before they took over maintenance for the drains but more than likely this will be the case. In the case of the plan not being accepted by Public Works the developed can either form an HOA for maintenance or file for a modification.
- Commissioner Kellenbeck let Mr. Gerlitz know that he likes the plan. He asked if there would be a better way to make a turnaround in the future development on Ray Dean. Mr. Gerlitz bulb it out to serve lots off of it. Connection to willow lane would be nice. Sturgeon is lower classification street. Lora – allow dead end streets in cases where they might have future development, with a culdesac you get into limited length. Believes the example was under County code.
- Angela Despie – 2681 Mist Circle – Ms. Despie brought up concerns about foot traffic in the area being increased. She would like to know if sidewalks to Redwood Elementary will be continued to accommodate additional foot traffic for potential children living at the new subdivision. She is also concerned about the street parking on both sides of the street causing the roadway to be too narrow for through traffic in the area. She would like to know if traffic increases are being taken into consideration. Ms. Despie would also like clarification on if the

area will be annexed into the City as she has concerns about the increased population in the area increasing crime. She would also like clarification on where the drainage will be going.

- Commissioner Fitzgerald clarified that the drainage is for storm drainage.
- Ms. Despie let the commission know that they are already having issues with storm waters and flooding in the area. She is concerned that the problem will only be aggravated by adding in additional properties.
- Tony Riojas - 225 Penny Lane – Mr. Riojas has a rental on Rainwood Lane. The previous neighbors had livestock and left tool on his rental property and built a fence that is about 3ft into their property. He would like to know if the developer is planning to fence the three lots on the NW Corner. He would also like to know if they will be removing the pile of dirt.
- Ronald Nunn – 3853 Leonard Rd – Mr. Nunn owns an adjoining property and is very much in favor of the project.
- Mr. Gerlitz let it be known that they understand the traffic concerns and that they did do a traffic study. There will be connections to existing subdivisions that should help with safety for pedestrian foot traffic. In the long range the city does plan to improve Leonard Rd but it hasn't come up yet.
- Drainage wise the City requires that the water detain to the existing conditions. No additional water will come off the property compared to the current drainage.
- There will be all new vinyl fencing up on each property. As for the dirt pile Mr. Riojas referenced it should be able to be accommodated.
- The area prone to flooding that was referenced by Ms. Despie will not be within the area the developers will be working in. They will not be addressing it but they will also not be making it worse. Mr. Gerlitz recommended that Josephine County Public Works be contacted about that matter.
- Justin clarified that there is a storm drain in the area that Mr. Riojas referenced that will limit what the developer is able to do in that location.
- Anthony Riojas – 225 Penny Lane – Anthony Riojas is Tony Riojas' son. He clarified that the main concern is that the previous owners were infringing on his father's property. They would like to know who is responsible for cleaning up the equipment and trash that was left on his property near the property line.

- Mr. Gerlitz wanted to reassure Mr. Riojas and Mr. Riojas that they will have a survey done and they should be able to come to some sort of agreement to resolve their concerns.
- Commissioner Kellenbeck is satisfied with the additional information and will recommend approval. He feels staff answered his questions adequately to ease his concerns.
- Commissioner Coulter would like to know if commissioner McVay is satisfied with the fire access on Raydean.
- Commissioner McVay is satisfied with the fire access but does have concerns about the sidewalks and safety for the children in the area.
- Commissioner Arthur asked for clarification on the half street and if there could be additional parking at the end of it as she had seen with other projects. Commissioner Fitzgerald clarified that the other cases were a different type of street where that would be permissible.

MOTION/VOTE

Commissioner Coulter moved and Commissioner Kellenbeck seconded the motion to approve application 104-00102-16 – Blackberry Lane Subdivision Tentative Plan be approved with the amendment to remove condition 2c and the statement to remove a turnaround. The vote resulted as follows: “AYES”: Chair Fitzgerald, Vice Chair Coulter, and Commissioners McVay, Arthur, and Kellenbeck. “NAYS”: None. Abstain: None.

Absent: Commissioners MacMillan, McIntire, and Wiegand.

The motion passed.

b. 405-00103-16 – Development Code Text Amendments Article 2, 10, and 19 Planning Commission Staff Report – Type IV Pg. 75-134

- Chair Fitzgerald stated, at this time I will open the public hearing to consider 405-00103-16 – Development Code Text Amendments Article 2, 10, and 19 Planning Commission Staff Report – Type IV. Is there anyone present who wishes to challenge the authority of the Commission to consider this matter? In this hearing the decision of the Commission will be based upon specific criteria. All testimony and evidence must be directed toward those criteria. The criteria which apply in this case are noted in the staff report. The hearing will now proceed with a report from staff.
- Lora gave the staff report.

- Commissioner Coulter made reference to 2.038 – pg. 94 – third paragraph with the stricken out sentence about removing part of the decision process. The text amendment will allow type 1D to be made with a Director’s decision. The portion of the text that is being removed would allow additional options for the decision process. He would like to see that portion of the text stay to allow for more choices in the City’s toolbox. He made reference that the City would not need to use it but he would like to it remain as an option.
- Commissioner Kellenbeck disagreed and felt that this streamlined the process.
- Commissioner Fitzgerald mentioned a concern about not having an avenue for verbal public input if this level of review is removed.
- Commissioner Coulter requested that the rest of the commissioners give an up or down vote on whether or not to request an amendment to commissioner Kellenbeck’s motion. The rest of the Commissioners agreed to not amend the motion.
- Commissioner Fitzgerald noted his concern about the amendment appearing to removal all public testimony.

MOTION/VOTE

Commissioner Kellenbeck moved and Commissioner McVay seconded the motion to recommend approval of application 405-00103-16 – Development Code Text Amendments Article 2, 10, and 19 Planning Commission Staff Report – Type IV. The vote resulted as follows: “AYES”: Chair Fitzgerald, and Commissioners McVay, Arthur, and Kellenbeck. “NAYS”: Vice Chair Coulter. Abstain: None. Absent: Commissioners MacMillan, McIntire, and Wiegand.

The motion passed.

- Lora will bring this to the City Attorney to confirm that he feels the process will adequately cover the citizen’s rights for public comment. She will report back to the commission.

5. OTHER ITEMS/STAFF DISCUSSION:

- Lora is trying to keep UAPC updated on what City Council is doing and hopes that this is working for the Commissioners.
- Council will review Stutzman on August 3, 2016.

- For the August 10, 2016 meeting there will be findings that night, but as of today there isn't anything in addition. Staff can give a quarterly report.
- The August 24, 2016 meeting will review the Pinnacles Estate Subdivision and the Lincoln/Lower River Rd Subdivision.
- On September 7, 2016 Council will review this amendment.
- On the September 14, 2016 meeting there will be findings and any possible applications that come forward in the meantime.
- The commission will be reviewing Valley Lights for the fourth time.
- Council will be having a second reading of the Urban Renewal plan on the August 3, 2016 meeting.
- Stephen M R Covey will be here on September 16, 2016 from 6:00pm to 9:00pm. Tickets are available if the commissioners would like to attend.
- Hampton Inn would like to modify their landscaping up along the freeway. What they didn't point out is that they have a retaining wall. The commission is fine with Lora working on that with them and getting a copy to the commission at a later meeting.
- Lora let the Commission know that they brought the Allen Creek plans to Council; they will be holding another open house.

6. ITEMS FROM COMMISSIONERS:

- None.

7. ADJOURNMENT:

Chair Fitzgerald adjourned the meeting at 8:37 P.M.

Next Meeting: August 10, 2016



Gerard Fitzgerald, Chair
Urban Area Planning Commission

8/12/2016

Date

These minutes were prepared by Carlie Paulsen, Administration Department, City of Grants Pass.