

**City of Central Point
Planning Commission Minutes
September 1, 2015**

I. MEETING CALLED TO ORDER AT 6:00 P.M.

II. ROLL CALL

Commissioners Chuck Piland, Craig Nelson, Kay Harrison, Mike Oliver, Tim Schmeusser, Tom VanVoorhieswere present. Also in attendance were: Tom Humphrey, Community Development Director, Don Burt, Planning Manager, Stephanie Holtey, Community Planner and Karin Skelton, Planning Secretary,

III. CORRESPONDENCE

None

IV. MINUTES

Craig Nelson made a motion to approve the July 7, 2015, minutes. Kay Harrison seconded the motion. ROLL CALL: Mike Oliver, yes; Susan Szczesniak, yes; Tim Schmeusser, yes; Tom Van Voorhees, yes; Craig Nelson, yes; Kay Harrison, yes. Motion passed.

V. PUBLIC APPEARANCES

None

VI. BUSINESS

Stephanie Holtey presented a Class C Variance request to reduce the rear yard and special stream setback on two legally platted lots to develop single family residences on each lot consistent with the provision of the LMR residential zone. The project site is located south of Taylor Road contiguous to Griffin Creek. She explained that when the lots were purchased in 2005, Both lots were buildable. In 2011 FEMA adjusted the floodway boundaries and both lots became unbuildable. She stated the purpose of the variance was to grant a reduction in the special stream setback and reduce the rear yard setback to 10 feet. Ms. Holtey informed the commissioners that in order to approve a variance it cannot be detrimental to the municipal code or city policies. It cannot be personal, but must be based solely upon a land situation beyond the control of the applicant and the proposed use must be permitted in the zoning district, and it must not be

detrimental to the area. She stated that the variance must be the minimum necessary to relieve the hardship.

Ms. Holtey informed the Commissioners that a condition of approval of the variance would include a provision that the applicant dedicate an easement which would serve as an emergency pedestrian exit across the property. It would be on the applicant's property only and would serve only as a emergency pedestrian exit for residents of the property.

The Commissioners asked what was the "minimum necessary" to approve the variance. Ms. Holtey stated that consideration should be given to 1) what was originally approved for these lots, 2) what has changed, and 3) What is the current status of the lots.

Ms. Holtey explained that the allowable minimum should be equal to what was originally approved for building on these lots. She said her research indicated that there were plans that would fit the buildable footprint of each lot should the variance be approved. She stated that the properties would be configured in a standard flag lot configuration. She said that staff recommended approval of the variance with the conditions that 1) an emergency egress easement be implemented, 2) the driveway be constructed, and 3) the buildable area should not exceed the buildable area of the final plat.

PUBLIC HEARING OPENED

Paul Williams, applicant.

Mr. Williams said he bought the lots before FEMA adjusted the floodway boundaries. His intention was to build a single family home on each tax lot. He stated the houses would be two stories and would be well constructed.

Charles McFarland, Central Point Resident

Mr. McFarland stated he has property adjacent to the subject property. He had concerns regarding raising the grade of the property. He stated he believed there would need to be a retaining wall constructed between the properties. Ms. Holtey said that she was not aware of any requirements that the applicant raise the grade of the property. Mr. Williams stated he would be raising the foundation of the home only and not the entire property. Mr. Humphrey stated that the building requirements would be reviewed once the plans for the homes had been submitted. They would be required to meet all applicable code requirements.

Ellen Michaels, Central Point Resident

Ms. Michaels asked whether the trees on the subject property would remain. Mr. Williams stated he intended to leave the trees as they were on the property.

Matt Heading, Central Point Resident

Mr. Heading stated that when he bought his property which was adjacent to the applicant's property, it had been his understanding that the applicant's property was only

one lot and he was not enthusiastic about having two new homes constructed in their area.

Amber Heading, Central Point Resident

Ms. Heading added to her husband's concerns and stated that they had bought their property for the specific rural location and they were disappointed that there would be two more houses constructed.

THE PUBLIC HEARING WAS CLOSED.

Tim Schmeusser made a motion to approve Resolution 821 with the condition that the emergency egress easement be a condition of approval. Kay Harrison seconded the motion. ROLL CALL: Mike Oliver, yes; Susan Szczesniak, yes; Tim Schmeusser, yes; Tom Van Voorhees, yes; Craig Nelson, yes; Kay Harrison, yes. Motion passed.

Stephanie Holtey presented the White Hawk Master Plan which had been continued from the July Planning Commission Meeting. She stated that updates had been received from the applicant on August 24, 2015 however there was not enough time to evaluate the information and make a recommendation at this meeting. She said that staff's recommendation was to continue the matter to the October 6, 2015, Planning Commission meeting.

PUBLIC HEARING OPENED

Martin Mingus, Central Point Resident

Mr. Mingus said that he had several issues he wished to bring to the Commission's attention. First was the traffic study that had been done regarding the additional traffic load from the White Hawk Development. He said that the original study used a factor of 6.65 trips per day per unit. His research indicated that that factor was fairly close for the apartment trips, however duplexes and townhomes generated more trips; somewhere between 9.95 and 11 trips per day. That would bring the original estimate of 2274 additional trips to almost 20,000 additional trips per day. He would like to know if the City would revisit the traffic study.

The second issue Mr. Mingus was concerned with was the environmental impact of the capping of the designated park area in the development. He stated that the 2005-2006 environmental study by DEQ was only a preliminary report and was never finalized. Additionally, DEQ has had no contact from anyone regarding this report since January 2007. The DEQ report stated that the arsenic level was 100% more than the acceptable level rather than the 10% that had been represented. For capping that area they recommended that 3 feet of soil be removed, that the area be sealed and then capped. They would also require maintenance and monitoring of the area. Who would be doing that? He informed the Planning Commission that in addition to arsenic in that area there were also high levels of DDT. Mr. Mingus wanted to know why the park is being planned for that site considering the levels of contamination. He also mentioned that the

dust that will be stirred up during excavation would be poisonous to workers and residents in the area.

The third issue of concern had to do with the wells in the area. Mr. Mingus stated that Apex had done a study and only represented 8 wells in the area. He said that just driving through the area he could count over 20 wells. He informed the Commission that wells in the area were not registered with the state until after 1950. Mr. Mingus suggested that notices should be sent out to a wide area around the site to make sure that as many wells as possible would be notified and monitored. He referenced a previous subdivision that had been constructed in the area in 1997 and the damages that were done when that storm drain had been put in. He stated that with a new storm drain going in on Beebe Road there needs to be some mitigation applied so the same thing does not happen. He said that in 1997 the following steps had been tried in the attempt to prevent water loss to surrounding properties:

1. They used crushed rock which did not work.
2. They used plugs to stop water leakage in the pipes which did not work.
3. They used plugs throughout the full trench which did not work
4. The property owners were specifically told that any water loss to their wells would be temporary. The water that was lost never came back.

Mr. Mingus stated that all of the same steps have been mentioned to the property owners at this time and the property owners are very much concerned about what will happen when the storm drain is put in.

David Webb, Central Point Resident

Mr. Webb stated that he had been studying the DEQ draft report and doing some research. He stated that he had identified other parcels of land that would probably also be contaminated similarly to this particular parcel. He wondered if the City has ever done research on this. His belief is that there are areas that are undevelopable due to contamination. Additionally, he thought there may be some areas that were already developed and probably did have some level of contamination. He stated there could be consequences that should be addressed prior to continuing any development in the area.

Bob Mayers of People's Bank

Mr. Mayers stated that because the meeting was being continued, they were not prepared to address issues at this time. He stated that they had submitted additional materials but unfortunately they were not in time for a full review and recommendation from the City. However he did want to address some concerns brought up at this meeting. He stated that People's Bank was very much concerned about the wells and the water issues and would definitely work on monitoring and studying the wells surrounding the White Hawk subdivision. He said that installation of these lines is different than it was in 1997. They

were committed to having good communication and relations with the neighbors of the subdivision.

Tom Van Voorhees made a motion to continue the White Hawk Master Plan to the October 6, 2015 Planning Commission Meeting. Kay Harrison seconded the motion. ROLL CALL: : Mike Oliver, yes; Susan Szczesniak, yes; Tim Schmeusser, yes; Tom Van Voorhees, yes; Craig Nelson, yes; Kay Harrison, yes. Motion passed.

Stephanie Holtey presented the White Hawk tentative plat application and recommended that it be continued to the October 6, 2015 Planning Commission meeting.

PUBLIC HEARING OPENED

No comments made.

Tom Van Voorhees made a motion to continue the White Hawk Tentative Plat Application the October 6, 2015, meeting. Susan Szczesniak seconded the motion. ROLL CALL: Mike Oliver, yes; Susan Szczesniak, yes; Tim Schmeusser, yes; Tom Van Voorhees, yes; Craig Nelson, yes; Kay Harrison, yes. Motion passed.

Tom Humphrey presented the Planning Commission with Amendments to the Comprehensive Plan, Transportation System Plan (TSP) to incorporate the Interchange Area Management Plans (IAMPs) for the I-5 Exits 33 and 35.

He explained the adoption of the proposed Amendment would acknowledge collaborative transportation planning work done by the state to protect the operation of its interchanges at I-5 Exits 33 and 35. The City Council passed a Resolution (No. 1396) in May 2014 to approve the Seven Oaks Interchange Area Management Plan (IAMP-35) and direct staff to amend the TSP to include its projects, policies and development standards.

In the meantime the State completed the IAMP for I-5 Exit 33 at Pine Street and has asked that the City adopt it prior to being adopted by the Oregon Transportation Commission (OTC) later this year. Both IAMPs can be adopted by the City by formally amending the TSP which is part of the City's Comprehensive Plan. The amendment is not intended to be a wholesale change since the TSP was updated in December 2008. The IAMPs will be referenced in the TSP and selected goals, policies and project lists will be revised. It should be noted that once the TSP is amended some special conditions in the TOD District (Section 17.65.025.A) of the zoning code will be removed. The language was the self-imposed trip cap the City agreed to when it adopted the Eastside TOD. The Department of Land Conservation and Development (DLCD) and ODOT have both been notified of this amendment.

The development and preparation of the IAMPs for both interchanges used local land use plans and policies as the framework for projecting transportation demand and subsequent

improvements to mitigate the impacts of that demand. Citizen involvement was invited and encouraged through the creation of a Project Focus Group made up of property owners, business managers, real estate and banking representatives.

Mike Oliver asked about increased traffic should there be a large commercial development at Table Rock Road and Pine Street. Mr. Humphrey responded that Costco does intend to submit a conditional use permit and a traffic study is being done. The Commissioners expressed concern regarding the increased traffic. Mr. Humphrey stated that the City had Jim Hanks evaluate the TSP analysis. He said that the impact would not be as severe as first thought.

Mike Oliver made a motion to approve Resolution 820. Tim Schmeusser seconded the motion. ROLL CALL: Mike Oliver, yes; Susan Szczesniak, yes; Tim Schmeusser, yes; Tom Van Voorhees, yes; Craig Nelson, yes; Kay Harrison, yes. Motion passed.

VIII. ADMINISTRATIVE REVIEWS

None

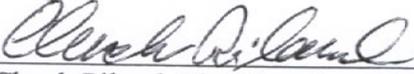
IX. MISCELLANEOUS

None

X. ADJOURNMENT

Mike Oliver made a motion to adjourn. All members said "aye". Meeting adjourned at 8:26 p.m.

The foregoing minutes of the September 1, 2015, Planning Commission meeting were approved by the Planning Commission at its meeting on the 6th day of October, 2015.



Chuck Piland, Planning Commission Chair