



# City of Aumsville

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## **AUMSVILLE CITY COUNCIL PUBLIC HEARING & REGULAR MEETING**

### **Minutes**

**May 8, 2017**

Mayor Baugh called the meeting to order at 7:02 PM in the Chester Bridges Memorial Community Center, 555 Main Street, Aumsville, Oregon.

Council present were Mayor Robert Baugh, Jr., Councilors Brian Czarnik, Della Seney, Lorie Walters, Gabe Clayton, Kevin Crawford, and Trina Lee. City Administrator Ron Harding (CA Harding, Administrative Assistant Lora Hofmann (AA Hofmann) and City Clerk Colleen Rogers (CC Rogers) were also present.

Mayor Baugh asked for a moment of silence to honor longtime resident and 30 year First Lady of Aumsville, Bonnie White, who passed away on May 6<sup>th</sup>, 2017.

**PUBLIC HEARING:** Zone Change, Partition, Site Development Review, & Variance Application Hearing for property located at 1150 Cedar Lane & 543 N 11<sup>th</sup> Street, Aumsville, Oregon.

Mayor Baugh opened the Public Hearing at 7:03 PM and read the Disclosure Statement. He suggested a change to the order of procedure and there were no objections noted. Mayor Baugh, Councilor Czarnik and Councilor Crawford declared they had all been approached by members of the community about the application details, but declined to comment or discuss it. They said it would not prejudice their ability to make an impartial decision.

Mayor Baugh asked Council for any Declarations of Interest. There being none, he then asked the audience if there were any objections to any council members presiding over the hearing. There were no objections.

Mark Grenz, Multi-Tech Engineering, representing the applicant, gave a brief description for each of the applications before the council. Rezoning 13.1 acres of Residential Single Family (RS) zoned property to Residential Multi-Family (RM); partitioning one lot of the property to create three parcels; Site Development Review (SDR) including 172 units in three areas, he also outlined the number of apartment buildings and other complex

structures; and he stated they have met the criterion of the variance. He explained how they have taken into consideration the fire safety access regarding parking spaces and fire lanes. The Aumsville Planning Commission (APC) recommended approval with 42 conditions. The applicant has no objections to complying with the proposed conditions. The size and number of parking spaces were discussed. There was testimony at the planning commission hearing about the amount of traffic from the apartment complex on 12<sup>th</sup> and 13<sup>th</sup> Streets; applicant is willing to have gated connections on 12<sup>th</sup> and 13<sup>th</sup> to minimize drive-through traffic. Pedestrian access is planned on 13<sup>th</sup> Street, whether it is gated or not. The Traffic Impact Analysis (TIA) has been received by Marion County and the applicant asked their traffic engineer to determine impact on 1<sup>st</sup> & Main Streets. Marion County found that all traffic will be traveled over county roads, the adverse impact is minimal, and they see no need for other conditions. Councilor Walters asked whether the parking lot/spaces are wide enough to avoid car doors opening and hitting other cars. Mr. Grenz explained that Aumsville's space requirements are larger than the regular standards at other cities and feels that the size is adequate.

**Staff Report:**

Lisa Brosnan, Contract Planner with Mid-Willamette Valley Council of Governments (MWVCOG) – reiterated background on procedure and how staff conducted multiple meetings before the application was submitted in an effort to understand the criteria for approval. She also gave some history of the application submission and criteria that was provided to APC regarding the request for re-zoning:

1. Public Need & Housing Type;
2. Appropriate Location;
3. Public Services Available;
4. Lack of Multi-Family Housing; and
5. Public Works and the city engineer reviewed the proposal and have determined it will not over-burden capacity of public facilities.

Planner Brosnan cited Housing Goal 10 and reviewed criteria, finding the application does meet requirements. A revised plan was presented by applicant and approved by the APC at the April 20<sup>th</sup>, 2017 Public Hearing with regard to the total number of parking spaces. Staff recommended approval of all land-use requests with conditions.

**Proponents Testimony:** No new proponent testimony was given.

**Opponents Testimony:**

Joe Arbow of 537 N 12<sup>th</sup> Street stated that he has lived here for 3 years and has seen a lot of dump truck loads of fill and questioned if the land owner has Division of State Lands (DSL) approval for adding fill in a wetland. He was also concerned about the increased population and traffic impact in the neighborhoods. He worries that Aumsville will lose its small town atmosphere.

Arlene Walker of 539 N 13<sup>th</sup> Street voiced her concerns about the wetland construction, taxes, home values, and traffic. She also stated that when she bought her lot she was told

that there wouldn't be anything built on the vacant land in question.

Ann Mandyck of 421 N 12<sup>th</sup> Street has PTSD and is concerned about a swimming pool being built right next to her property. She is also concerned about traffic and children crossing an already busy street to go to school.

Bill Baxter of 425 N 13<sup>th</sup> Street stated that he doesn't want apartments looking down on his back door. He is also concerned about construction traffic and tenant parking. He questioned overflow parking on residential streets.

Cheryl Gullede of 903 York Street voiced her concerns about community safety and whether police and fire coverage would be adequate. She was also concerned about taxes and crime rates going up.

Virgil Thorpe and Marta Dreyer of 525 12<sup>th</sup> St. have concerns that staff has underestimated the Public Works impact and Mr. Thorpe cited why he feels it is going to require significant improvement to the system. He wonders how it will be paid for. He voiced concern about the flow of traffic through the neighborhood, the school zone impact, and encroachments on environment and homeowners.

**General Testimony:** None

**Rebuttal:** The applicant gave his rebuttal. He explained the actual location of 3-story buildings being 250 ft away on 12<sup>th</sup> Street and 40 ft away on 13<sup>th</sup>. The applicant specifically kept a buffer of open space between houses on 12<sup>th</sup> and 13<sup>th</sup> Streets and the buildings. He stated that all buildings are attractively designed and will have no decks on sides that are facing residential homes. He then addressed the fill dirt concerns and assured that all work is being done in accordance to their DSL permit. Traffic concerns addressed: Applicant had been asked to consider the traffic impact at 1<sup>st</sup> and Main; they did an additional traffic analysis showing there would be a 2.9% impact. There will be an emergency access off of Cedar Street. Construction noise and dust concerns will be monitored through a permit they will obtain from DEQ and will be closely monitored to prevent settlement and keep dust under control. Parking spaces: Applicant has included two spaces for each unit. He explained that most communities require 1.6 to 1.7 spaces per unit. The applicant has no concern about meeting all 42 conditions recommended by staff in their revised plans, which will alleviate much of the concerns.

**Council Questions:**

Councilor Lee asked how the engineer came about the 2.9% impact on traffic. Multi-Tech engineers did the analysis showing 40% of traffic will go north, 20% south on 11<sup>th</sup> Street. From the traffic going south, they calculated the impact to 1<sup>st</sup> and Main. Marion County stated in an email to the engineer that all intersections will function well within the county standards.

Mayor Baugh asked if there has been discussion with Marion County about a crosswalk on 11<sup>th</sup> Street. The applicant is not against installing a pedestrian crossing and is willing to talk to Marion County about construction of a crosswalk.

Councilor Crawford asked about the impact on our existing City services. The applicant will be adding a new sewer lift station that will more than meet the needs of the apartments. CA Harding explained that the city has a built-in growth formula to help the city prepare for future growth.

Mayor Baugh talked about Police protection and how the previous developments have made it possible to hire the 5<sup>th</sup> & 6<sup>th</sup> officer. Some cities our size don't have a police force. He asked applicant to address the possible construction of a protection fence. Multi-Tech stated that the applicant is not opposed to upgrading the fences where housing is abutted with a six-foot wooden fence.

Councilor Czarnik asked if parking spaces are assigned spaces. Applicant explained that one space is assigned and the other is open. Exhibit A identifies ten handicapped spaces that meet the ADA requirements.

Councilor Lee asked about the project timeline. Applicant stated that they hope to pull permits for Phase 1 in fall 2017, and be on-line spring 2018. The 2<sup>nd</sup> phase will begin fall 2018 or spring 2019. Applicant stated that renters' philosophies have changed from the "only option" to "desired housing." Many people have busy careers and active families and don't want the hassles of home ownership.

Mayor Baugh closed the Public Hearing at 8:58 PM

Council Convened at 8:59 PM and Reconvened at 9:06 PM

### **Council Deliberations:**

Mayor Baugh explained the process of deliberations to Council. He talked about options and how their decision has to be made under law. He stated that if they disagree with findings in the staff report, they must give reason under law.

Councilor Crawford commented that the applicant was well prepared and addressed the concerns of opponents. Councilor Seney wondered if the Safe Routes to School grant improvements will address any of these concerns along 11<sup>th</sup> Street. CA Harding stated that it will provide continued sidewalk on the east side; on the west side there would be a section of missing sidewalk. Councilor Czarnik stated that the sidewalks and safe crossings are issues the city needs to address, even if we don't approve the development. Part of the problem is that some of the properties on 11<sup>th</sup> are not annexed into the city limits and would not be subject to the sidewalk upgrade until annexing into the city.

Councilor Lee stated that she still has concerns about the traffic, but does not have any information specific to the criteria to deny the application.

Councilor Walters expressed concerns over opponents assertion that when they purchased their homes they were told by the contractor that nothing would be built in that area.

Council consensus was to add two additional conditions: 1. Applicant to construct a six-foot wood fence along property lines that abut single family homes. 2. CA Harding will work

with Marion County to advocate for a crosswalk on 11<sup>th</sup> Street. Applicant agrees to cover the costs of the work.

Councilor Crawford made a motion to adopt the staff report and approve the requested Zone Change (ZC 17-02), Comprehensive Plan Map Amendment (CPMA 17-02), Site Development Review (SDR 17-04), Variance (VAR 17-05), and Partition (PAR 17-03), subject to the conditions of approval set forth in the staff report, as modified to reflect the changes made by the city council. Councilor Czarnik seconded the motion. Voting for the motion were Councilors Czarnik, Seney, Clayton, Crawford, Lee, and Mayor Baugh. Council voting against the motion was Councilor Walters. The motion carried 6 to 1 in favor.

Mayor Baugh closed the Public Hearing at 9:36 PM.

**CONSENT AGENDA:** Council received the April 21, 2017 through April 28, 2017 Check Registers and the April 24, 2017 Aumsville City Council Meeting Minutes. Councilor Seney made a motion to approve the Consent Agenda as presented. Councilor Lee seconded the motion and it passed unanimously.

**ORDINANCES & RESOLUTIONS: RESOLUTION NO. 03-17** A RESOLUTION AUTHORIZING AND SUPPORTING THE CITY OF AUMSVILLE APPLICATION FOR OREGON PARKS AND RECREATION DEPARTMENT LOCAL GOVERNMENT GRANT FOR DEVELOPMENT OF WILDWOOD SPLASH PARK. Councilor Seney made a motion to adopt Resolution No. 03-17 as presented and seconded by Councilor Walters; voting in favor of the motion were Councilors Clayton, Crawford, Czarnik, Lee, Seney, Walters, and Mayor Baugh. The motion passed unanimously.

**CITY ADMINISTRATOR REPORT:**

CA Harding and AA Hofmann will be attending Land Use Planning training next week.

**POLICE REPORT:** Council received Chief Schmitz' Monthly Report. Brian asked about the resignation of the 6<sup>th</sup> officer. We are budgeting to fill that position. Chief Schmitz is working on putting statistics together on crime rates.

**PUBLIC WORKS REPORT:** Director Oslie's Monthly Report. Councilor Lee asked about the cost of the replacement of the Chlorine analyzer. CA Harding stated this cost is currently included in the repair budgeted.

Council received the Aumsville Planning Commission March 2, 2017 Meeting Minutes, the Emergency Management April 26, 2017 Meeting Minutes, and the Staff Team Meeting April 19, 2017 Notes for review.

Councilor Clayton asked about the boom lift that has been working on the tower. CA Harding explained that AT & T is upgrading their antenna equipment.

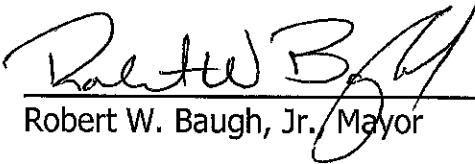
Pacific Power & Light stakeholders group is set to talk about auto meter readers they will be changing out in our area. There is no additional cost to consumers. New meters will automatically send outage info to HQ. New equipment will improve convenience for the

consumer to manage accounts.

**GOOD OF THE ORDER:** Bonnie White's celebration of life will be held on May 27<sup>th</sup> at Bethel Baptist; time to be announced.

**The meeting adjourned without objection at 10:18 PM**

  
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Ron Harding, City Administrator

  
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Robert W. Baugh, Jr., Mayor