



# City of Aumsville



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## AUMSVILLE PLANNING COMMISSION MEETING MINUTES Thursday, Sept. 7, 2017

**CALL TO ORDER:** The meeting was called to order in the Chester Bridges Memorial Community Center, 555 Main Street, Aumsville, Oregon at 6:08 PM. Commissioners present were Dan Kluver, Vicky Barber, and Chris Chytka. Commissioner absent was Vivian Bronec. City staff present were Contract Planner Dave Kinney (Planner Kinney) (6:48 pm) and Administrative Assistant Lora Hofmann (AA Hofmann).

### **PUBLIC HEARING: Lyons Real Property LLC Annexation, Del Mar Subdivision, & Variance**

The hearing opened at 6:09 pm. Chair Kluver read the Opening Statement. There were no objections to the Notice or Jurisdiction. The commissioners were asked if they had any declaration of interests or conflicts. There were none.

Staff Report was presented by Assistant Hofmann for applications from Lyons Real Property LLC/Jerry Flowers for property located at 569 N. 11<sup>th</sup> Street (Aumsville Hwy) and Del Mar Drive. She explained the three applications and the criteria that should be met for each. The recommended conditions of approval included:

#### Annexation Conditions of approval recommended:

The final plat shall be recorded within one year of the date of issuance of an Aumsville Public Works Type B Permit, and the plat must be recorded within five years of the Notice of Decision for the approval of the subdivision. Failure to comply with the required deadlines shall require the submittal of a new land division application.

Require the submittal of a detailed engineering plan for the public and private utility connections and the access driveway.

The applicant's design engineer will submit an overall site grading and drainage plan, including finish grades and final floor elevations, for all lots within the subdivision. Builders will be required to comply with the approved grading plan.

The applicant be required to submit a site grading plan for the entire site. The grading plan will show the final finished floor elevation for each residential building lot and grading to a future street on the north side of the property, as if Del Mar Drive will be extended in the future. The grading plan may be submitted as part of the applicant's engineering plans for the Type B Permit.

To require design and installation of a barrier or gates to provide a secondary fire access for the Aumsville Fire District.

Variance approval: If the variance is denied, then the proposal does not comply with Sections 20.73 (G), 20.73 (H) and/or 20.83 (I), unless the applicant dedicates the additional 30' for Right of Way and constructs a ¾ street improvement.

The City Engineer and Public Works Director recommend the following conditions of approval:

- Grant a 7' Public Utility Easement (PUE) on the north lot boundary line.
- Grant a 7' storm drainage easement on the south property line.
- Install underground utility services to each lot.

The applicant's engineer shall submit drainage calculations, a grading plan and storm system design that demonstrates the storm drainage system will comply with city design standards. The storm system design can be submitted with a Type B Permit application.

The applicant's surveyor must comply with ORS 92 for completion of the final subdivision plat and property monumentation.

The applicant will execute a non-remonstrance agreement obligating the property owners of each lot to construct sidewalks in the future, at their sole cost and expense, upon receipt of written notice from the City.

The staff recommends the following conditions of approval:

- No access strips be shown on the final plat for Lot 4.
- All driveways will comply with the 50' spacing requirements listed in the table in Section 22.13(A) or PWDS Section 2.20, if an exception to the 50' spacing requirement is granted by the City Engineer. If access spacing standards cannot be met, a shared driveway shall be required.

The temporary driveway access will discharge at the intersection of Del Mar Drive and 10th Place. This is near one of the pedestrian entries to the Aumsville Elementary School. The driveway approach will be designed so it is a standard concrete curb approach. The staff recommends a speed bump be placed on the driveway approximately 25' to 30' from the sidewalk to keep traffic speeds down.

Applicant Testimony: Mr. Flowers noted that the 75 foot Right of Way on the north side of the properties will be dedicated at this time to preserve the extension of Del Mar for the future.

There were no Proponent, Opponent, General or Governmental Agency Testimony.

Questions from the Public: A question was raised by David Medlock, 715 N. 10<sup>th</sup> Place, the neighbor to the east of the proposed annexation about whether he would have to "buy a sidewalk."

Questions from the Commission: Commissioner Barber questioned the fence on the north side of the property (6 ft tall chain link exists). Applicant is suggesting that the chain link fence will remain with two man gates between lots 1 & 2 and lots 3 & 4. There was a question about the widening of the ditch to the south of the lots. This will occur as a stormwater retention area.

Chair Kluver questioned the dead-end to Del Mar (as opposed to going through to 11<sup>th</sup> Street) and the development of the turn-around in front of lot 4. It was clarified that the 75' no-access area

does not need to be paved; rocking will suffice. If Del Mar should go through to 11<sup>th</sup> in the future, the turn-around area will be replaced with a paved street.

Commissioner Chytka asked for, and received, clarification that Panther Park will go away and access to these new lots will be taken off of 10<sup>th</sup> Place.

Mr. Medlock asked what the access to the lots will actually look and Planner Kinney explained.

Applicant Summary: Nothing more to add.

Staff Summary: Planner Kinney explained the policy the city is requiring to guarantee that Del Mar is able to access 11<sup>th</sup> ultimately as a through-street. The city will have to build the street, but property owners have to make the street improvements when the street is built (sidewalks, etc.)

Planner Kinney clarified the timing of the applicant approvals: Council must approve the annexation; then the variance must be approved; and then the subdivision. If the annexation isn't approved, there is no jurisdiction to approve the other applications. It was also clarified that the proposed man gates in the fence to the north are required to meet the approval of the Fire Department. He noted that the planning commission should provide three recommendations to council.

Hearing closed at 7 pm.

Deliberation: There were no further questions from the commission. They agreed it seemed pretty straight-forward.

Decision (Recommendations to ACC): Commissioner Barber made a motion to recommend the City Council approve the ANNEXATION of the 1.0-acre parcel at 569 N. 11<sup>th</sup> Street, File 2017-10 and adopt the findings of fact and conclusions in the staff report as presented. Commissioner Chytka seconded. Voting in favor of the motion were Commissioners Barber, Chytka and Kluver. The motion passed unanimously.

Commissioner Barber made a motion to recommend the City Council approve the VARIANCE application (File 2017-12) to Section 20.73 "Street Improvement Requirements" to waive Del Mar Drive Street improvement requirements if the City approves the concurrent application for a subdivision (File 2017-11) and to adopt the findings of fact and conclusions in the staff report as presented. Commissioner Chytka seconded. Voting in favor of the motion were Commissioners Barber, Chytka and Kluver. The motion passed unanimously.

Commissioner Barber made a motion to recommend the City Council approve the Subdivision application (File 2017-11) for the FLOWERS (DEL MAR) SUBDIVISION, subject to the recommended conditions of approval and to adopt the findings of fact and conclusions in the staff report as presented. Commissioner Chytka seconded. Voting in favor of the motion were Commissioners Barber, Chytka and Kluver. The motion passed unanimously.

Staff will forward the written recommendation, signed by the Chair or Vice-Chair, based on the decision of the Planning Commission, to the Aumsville City Council.

**Mr. Medlock was encouraged to apply for Planning Commission (he is high school teacher).**

**APPROVAL OF MINUTES** - Commissioner Vicky had a question about the minutes and wanted to include that when she asked for the meeting to be reopened, it was important that applicant indicated there will be no contaminated products examined or tested in their lab. Chair Kluver had noted that the applicant's business will only be looking at new prototypes; nothing that has been used prior to inspection. Commissioner Chytka made a motion to approve the August 9, 2017 Planning Commission minutes as amended. Commissioner Barber seconded. Voting in favor of the motion were Commissioners Barber, Chytka and Kluver. The motion passed unanimously.

**NEXT MEETING** - Oct. 5, 2017 - Work session on Development Ordinance updates (Chair Kluver will be gone hunting)

**ADJOURNMENT: 7:17 pm without objection.**

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Dan Kluver, Planning Chair

ATTEST:

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Lora Hofmann, Administrative Assistant