



APPROVED: February 25, 2013

CITY OF ALBANY
PLANNING COMMISSION
City Hall Council Chambers, 333 Broadalbin Street
Monday November 27, 2012
5:15 p.m.

MINUTES

Planning Commissioners present: David Faller; Dala Rouse; Michael Styler; Larry Tomlin; Lolly Gibbs

Planning Commissioners absent: Cordell Post; Kristin Richardson

Staff present: Heather Hansen, Planning Manager, Ron Irish, Transportation Systems Analyst, Anne Catlin, Lead Long Range Planner, Tari Hayes, Administrative Assistant

Others present: 7 others in audience

CALL TO ORDER

Chair Faller called the meeting to order at 5:15 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

COMMENTS FROM THE PUBLIC: None.

APPROVAL OF THE MINUTES:

- November 19, 2012 Planning Commission Meeting
- October 10, 2012 Joint Planning/City Council Meeting

MOTION: Tomlin moved to approve both sets of minutes as corrected. Gibbs seconded it. Motion **passed** unanimously.

CONSOLIDATED LEGISLATIVE PUBLIC HEARING: CP-04-12, DC-06-12 & ZC-07-12

This is a continued public hearing from November 19, 2012. The proposed action is the adoption of the South Albany Area Plan and is a legislative action. In this instance, however, only five parcels are affected by the map amendment aspects of the proposed plan. The City, therefore, has elected to give the notice that would customarily be given in a quasi-judicial proceeding (adjacent property owners within 300 feet) and to conduct the hearing with all the rights and procedural safeguards ordinarily afforded affected property owners in a quasi-judicial hearing.

Chair Faller opened the public hearing at 5:20 p.m.

DECLARATIONS: None

Hansen summarized the meeting procedures.

STAFF REPORT:

Hansen explained that the Planning Commission requested that staff return with some options for discussion that address issues raised at the Planning Commission meeting on November 19, 2012. She reviewed the issues outlined in the memo in the agenda packet.

1. OAK CREEK TRANSITION AREA – FRONTAGE VERSUS AREA

Mark Grenz and Matt Wellner both suggested that the development allowance only say "40% of frontage" and not also "40% of area" since that would be more restrictive in some cases.

Hansen said staff had expressed concern about how there may be unintended consequences based on how it could be interpreted by other developers. Therefore revisions are proposed to Article 8 to only include 40 % of the subject site's frontage on the north side of the Oak Creek Parkway. Additional language and graphics are proposed to ensure a continuous view of the Oak Creek corridor and associated open spaces that are not obstructed by the development area. This is necessary to maintain visual and physical access to Oak Creek from the Oak Creek Parkway

2. OAK CREEK TRANSITION AREA – 40% VERSUS 50%

Matt Wellner requested that the allowance for development in the OCTA be increased from 40% to 50%.

Hansen explained that the original proposals were in the 20-30% range. The number was increased to 40% after discussions with property owners. If development in the OCTA is designed as envisioned, 50% could work. Due to wetlands and other constraints, it will be difficult to reach in many cases anyway.

3. PLAN DESIGNATION FOR PORTION OF SITE #1

Mark Grenz requested that a 15-20 acre portion of the property be redesignated from URR (Urban Residential Reserve) to MDR (Medium Density Residential) instead of to IL (Industrial-Light) as shown on the SAAP Land Use Plan.

Hansen said she asked SAAP transportation consultant, Susan Wright, PE of Kittleson & Associates if there would be significant impacts to the transportation system from redesignating the property to Medium Density Residential, instead of Industrial-Light, and whether or not additional analysis will be needed prior to adopting the SAAP. Hansen explained that Ms. Wright did a trip generation comparison on 11/21 and informed staff that both single family residential (at 12.7 units per acre) or apartments (at 20 units per acre) have substantially more trips than 20 acres of industrial park; more than twice the average weekday trips – 1,223 for Industrial Park, 2,418 for Single-family, and 2,600 for Medium Density Residential.

The proposed request to MDR would likely require Transportation Planning Rule (TPR) analysis since the trip intensity is more than what was assumed in the TSP. Hansen explained that keeping the land designated URR or designating it as proposed in the SAAP would not require the TPR analysis because the TSP modeling assumed the land would be industrial. Staff recommends leaving the site shown as industrial in the South Albany Area Plan but do not change the Comprehensive Plan designation now.

Hansen reviewed input from the Plan consultant, noting that a change to MDR would set the stage for a conventional "introverted" apartment complex, as opposed to being an integrated part of a complete and great neighborhood. This is due to physical barriers surrounding the site: the railroad, the elevated Ellingson railroad over-crossing, and the business park. In that respect, it doesn't meet the vision and objectives for South Albany.

Hansen noted that Mr. Grenz had asked if we could do something similar to what the state is doing with the Council of Governments (COG) regarding permitting for industrial land. City staff has been working with staff from the Oregon departments of State Lands and Land Conservation and Development to develop a streamlined permitting process for development in the South Albany Plan area. This is experimental and could take a year to complete.

4. OAK CREEK PARKWAY ALIGNMENT ON WEST SIDE OF COLUMBUS

Matt Wellner proposed that an "Area of Interest" be added to the SAAP maps, and that a note be added to Article 8.

Hansen described the unique situation of the Oak Creek parkway alignment just west of Columbus. She explained that depending on the location of the wetlands, we may not need the parkway and the Seven Mile Lane crossing. She said the note shown on the Land Use Plan that was handed out at the November 19, 2012 Planning Commission meeting would not be workable to add this to all SAAP maps, so staff proposes to either maintain status quo – no changes– recognizing that there are already caveats on the maps, and in the Comprehensive Plan and Development Code or make changes to the legend on the Street Framework map and add the text to the Comprehensive Plan.

5. OAK CREEK PARKWAY ALIGNMENT ON EAST SIDE OF COLUMBUS

Kent Chapman had asked why the proposed parkway "drops down" from the existing access road and goes through his property instead of just following the access road to the north.

Hansen explained the parkway alignment east of Columbus can change. The key is the intersection of the road at Columbus. The alignment dipped ~~it~~ down to avoid the grove of trees and create the opportunity for the tree grove to become part of the Oak Creek-corridor.

Hansen referred to Attachment C, an email from Ron Litwiller dated November 20, 2012, be submitted into the record. Litwiller was confident that the road alignment could be worked out between Mennonite Village and Mr. Chapman that would achieve the City's goals. Hansen said the diagram could be revised to move the parkway to the property line.

6. ALLOWING ATTACHED SINGLE FAMILY, DUPLEXES, AND 3- OR 4-UNIT STRUCTURES

Hansen noted that some commissioner had expressed concern about allowing 3- and 4-unit developments when transferring density in the Oak Creek Transition Area or to protect tree groves elsewhere.

She explained that these units could not be more than 25% of the total number and developments-could not exceed the maximum density by zoning district. Some single-family housing developments manage to mix in 2-unit and 3-units in a manner that is compatible with the neighborhood; but perhaps allowing 3- and 4-units in the mix is too much of an allowance.

Commissioner comments and questions on the staff report:

There was discussion to clarify what types of plans would come before the Commission for approval and what would not, such as some commercial. The Director has discretion to kick it up to the Planning Commission if warranted.

Tomlin asked if streets that dead-end to allow visibility to the Creek should be removed from the 40 or 50 percent calculation. After some discussion, Hansen concluded by explaining that streets are development and would not be part of the undeveloped portion.

PUBLIC TESTIMONY:

Steve Kerr, 2575 Seven Mile Lane, Albany - Kerr is glad the City has a comprehensive plan for the area as he doesn't want random development. His property borders the Mennonite property. He asked for a better explanation for the road that looks like it runs through his backyard.

Irish explained that the exact location of the roads is "shiftable" and this design was only intended to show a road connection between I-5 and Seven Mile Lane.

Matt Wellner – Metropolitan Land Group (Metro), 17933 NW Evergreen Parkways, Suite 300, Portland - Wellner was very supportive of the plan and remarked on the ease of manner staff has dealt with his concerns and issues raised. Remaining concerns would be resolved if the percentage could be raised, he would like 50%.

Metro would be in support of Item #3 – changes regarding Epping’s property. However he is concerned about the time that it would take to perform the transportation analysis, slowing down the adoption of the SAAP. Metro is starting to move development forward.

He explained his request to label an area of concern along the Oak Creek Parkway on the Metro property since they do not know where the wetlands are located and it may affect the alignment of the parkway.

Gibbs asked Wellner if he supported staff’s proposal regarding the Oak Creek Transition Area development allowance changing from area to frontage. Wellner noted his preference to change the language, option B in the memo.

Mark Grenz – Multi-Tech Engineering, 1155 13TH Street, S.E., Salem - The staff effort is great in providing options. Grenz would support the following options outlined in the staff memo:

Item #1 – B: 40% of frontage versus 40% of area;

Item #2 – B: 50% is better, noting that if you don’t take advantage of development on the north side of the parkway, how it will be funded;

Item #3 – B: Grenz asked that the Plan designation stay URR for now noting it is more difficult to change the Plan from IL than the other way;

Item #4 – This doesn’t impact his client but supports option B;

Item #5 – A: Status quo; and

Item #6 – A: He asked not to constrain the plan and take away the creative aspect of development; design guidelines will help to achieve the goals.

Rouse asked Grenz a number of questions about the historic sites, wetlands, creek beds etc on Mr. Epping’s property. They also discussed soil and historical issues with the property.

STAFF RESPONSE: None.

Chair Faller closed the public hearing at 6:09 pm.

PLANNING COMMISSION DISCUSSION:

Rouse would like to eliminate the trail through the Mennonite property and eliminate the trail on the north side of the creek completely. She also raised concerns about the cost of the creek crossings.

Faller believes the plan will enhance the entire area and that the Commission should honor the desires of the advisory committees, who’ve been working on this for the past 18 months.

Gibbs thinks the concept is good and some trails will have more visibility than others. She noted that eliminating the north trail could lead to neglect of the area. She likes the idea of walkable neighborhoods and noted that the specifics on how a development interacts with the trail system will be determined through the development process.

Styler expressed concern about the Creek crossing by the Mennonite Village. Irish explained that trails and creek crossing will likely be city initiated and not developer initiated.

MOTION:

The Commission agreed to vote on the options for modifications to the Development Code as presented in the staff report. The results were as follows:

1. OAK CREEK TRANSITION AREA – FRONTAGE VERSUS AREA

- B. Change language and diagrams to clarify intent of "40% of frontage" as described in Attachment A.

2. OAK CREEK TRANSITION AREA – 40% VERSUS 50%
 - B. Change to 50%
3. PLAN DESIGNATION FOR PORTION OF SITE #1
 - B. Leave area URR, but show it as Industrial in SAAP diagrams. Then when they are ready to develop, they can address any transportation analysis requirements and present their case for why some of it should be Medium Density Residential instead of Industrial as shown in the SAAP. The property will also need to be annexed, and the zoning can be determined by the City at that time.
4. OAK CREEK PARKWAY ALIGNMENT ON WEST SIDE OF COLUMBUS
 - B. After some discussion and explanation by Irish, the Commission agreed to make the changes as requested by Wellner to the Street Framework map in the Plan and the Plan text.
5. OAK CREEK PARKWAY ALIGNMENT ON EAST SIDE OF COLUMBUS
 - A. Status quo – no changes – recognizing that there are caveats on the maps and in the Comprehensive Plan that reinforce that the actual location may vary.
6. ALLOWING ATTACHED SINGLE FAMILY, DUPLEXES, AND 3- OR 4-UNIT STRUCTURES
 - C. Limit additional housing types in Single-Family zones to 2-units.

Styler made a motion to recommend that City Council approve the proposed Zoning Map Amendments, the proposed Comprehensive Plan Map and text amendments related to the South Albany Area Plan adoption and the Development Code amendments as modified above.

Tomlin seconded the motion. Motion **passed** unanimously.

ACTIVITY UPDATE:

Hansen reminded Commissioners that there were 3 vacancies on the Commission.

The Commission voted to appoint the following to the Hearings board; Dala Rouse, Lolly Gibbs and Cordell Post as members, with Larry Tomlin as the alternate.

NEXT MEETING:

Monday, December 3, 2012 – City Open House for Boards and Commissions.

ADJOURNMENT:

Hearing no further business, Commission Chair Faller adjourned the meeting at 8:35 p.m.

Submitted by

Reviewed by

Signature on File

Signature on File

Tari Hayes
Administrative Assistant

Heather Hansen
Planning Manager