

**PLANNING COMMISSION
MINUTES**

March 9, 2020

6:30 p.m., DSB Auditorium

Commissioners present: Brian Pasko, Louise Lopes, Mary Phillips, Gerald Murphy, Thomas Peterson, Tammy Stevens, Michael Wilson

Commissioners absent: Steven Schroedl

Staff present: Jennifer Hughes, Glen Hamburg.

Commission Chair Pasko called the meeting to order at 6:30 pm.

General public testimony not related to agenda items: none.

The public hearing tonight is to review Z0004-20-CP, a proposal from Allied Homes and Development to expand the City of Sandy's urban growth boundary (UGB). Commissioner Pasko read opening statements.

Glen Hamburg explained that the proposal is to expand the City of Sandy's UGB by approximately 6.42 acres. The applicant is Allied Homes & Development. Currently, the property is under Clackamas County jurisdiction and is zoned Exclusive Farm Use. It is already inside the City's urban reserve. The application does not propose for the expansion area to be used for any housing. The City has identified a need in their Transportation System Plan (TSP) for an arterial road (Gunderson Rd) connecting to Hwy 211. There is, however, a problematic alignment in the TSP's illustration of the intersection between Gunderson Road and Hwy 211. If the current intersection plan is used, there would be sight distance and safety issues. The City has also identified a need for a public park on the north side of Hwy 211 for existing and future urban development. Transportation engineers have found a nearby suitable alignment alternative for Gunderson Rd and Hwy 211, but the alternative location is outside of the City's current UGB on where urban public facilities, such as the road extension and park, are not permitted. The County would have to approve the UGB expansion application to move this area into the Sandy UGB, and the City would then have to annex the area. The applicant and the City have agreed that there would be no housing units within the new UGB expansion area. The park area would be zoned POS (Parks & Open Space) if annexed. Only the public facilities shown in the application would be constructed in the expansion area (Exhibits 23 and 25). Approval of this proposal could also allow better access for emergency vehicles into the area to the north, which is slated for future residential development.

Glen reviewed the standards in Statewide Planning Goal 5, Goal 10, Goal 11, Goal 12, and Goal 14 and explained the applicability of each. The City would be charged with evaluating any necessary protections of the Barlow Road when the expansion area is annexed and rezoned. The applicant states that they are working to minimize any impacts to the Barlow Road (Goal 5).

There is no need to perform a housing needs analysis in this case since the applicant is not proposing to put any housing on this site (Goal 10). There is a demonstrated need for the public facilities associated with this proposal (Goal 11). This road is already planned in the County's Transportation System Plan (TSP), and the proposed alternative alignment would be safer and more convenient than what is already in the TSP. This proposal will not have a significant negative impact on current transportation systems (Goal 12). The area is already within an urban reserve, which addresses Goal 14.

Glen demonstrated how the proposal complies with OAR 660-024-0000: Purpose and Applicability (the proposal was initiated by the City); OAR 660-024-0040: Land Need (there is a demonstrated need for the public facilities); OAR 660-024-0050: Land Inventory and Response to Deficiency (the current UGB is insufficient for the facility needs); and OAR 660-024-0065: Establishment of Study Area to Evaluate Land for Inclusion in the UGB (this is the only suitable location for the specific needs of this place).

The proposal also complies with the County Comprehensive Plan. Chapter 2-Citizen Involvement: the proposal was appropriately noticed. Chapter 4-Land Use: The expansion is within an urban reserve, not a rural reserve and the review was initiated by the City. Chapter 11-The Planning Process: other agencies were notified and involved, and notice was provided in accordance with Clackamas County Zoning & Development Ordinance, Section 1307.

The staff recommendation is for the Planning Commission to recommend approval by the BCC subject to specific conditions as stated in the staff report. The actual timeline for building the park would be up to the City. The 100-lot subdivision that is already approved to go in to the north of this area will be developed regardless of whether or not this application is approved. Commissioner Phillips has concerns about the real impacts that the construction may have on the Barlow Road. Perhaps construction staging could be designated to an area that would not impact the Barlow Road.

Exhibits 23-25 were entered into the record.

Michael C. Robinson-Schwabe, Williamson & Wyatt: Mr. Robinson represents the applicant. The applicant's goal is to have the road constructed prior to the subdivision going in. Turning the annexed area into a park and the proposed alignment for Gunderson Road has been a collaborative effort. The Sandy Planning Commission voted unanimously to build the alignment from Gunderson Road prior to full build-out of the Bailey Meadows subdivision. The utilities for that subdivision to the north of the proposed expansion area will come from that subdivision's north, not from the expansion area. Regarding the park and the Barlow Road, if the UGB expansion is approved, his client will be purchasing the land to site the park and then dedicate it to the City for park use. Otherwise, the applicant will provide the City a fee-in-lieu of providing a park. The City's Comprehensive Plan acknowledges the Barlow Road as historic, and the applicant realizes that there needs to be considerations on how to memorialize the road. The storm water facility would only be for runoff from the road; it will not be to serve the Bailey Meadows subdivision. They agree with the recommendation from County staff, and the applicant has no intention to do anything with the property other than use it for the proposed public facilities. There is no development of housing being proposed for this property.

Marie Holladay-AKS Engineering: The proposed area is 6.42 acres, and located south of the Bailey Meadows subdivision and north of Hwy 211. The only construction would be for a park and the other public utilities as indicated in the application. The application is stand-alone and not for any sort of housing development.

Rand Wall-AKS Engineering: The proposed Gunderson Road section would allow Melissa Ave to connect to Hwy 211. The original TSP alignment for the Gunderson Road connection to Hwy 211 will not work, in part, because of the berm to the north which obstructs the sight distance as you enter Hwy 211. The contractor will likely have the staging area for development of the proposed public facilities within the interior of the Bailey Meadows subdivision construction site to the north. The storm water facility is only meant to treat the runoff from the widening of Hwy 211 that is necessary to accommodate the turn lanes. It is the only place that the road is wide enough to allow turn lanes, and the proposed location is really the only place where the

runoff water can get to. The road itself would be a built-up road, meaning that it will require fill to be brought in.

Kelly O’Neill-City of Sandy: The Sandy City Council voted 6-0 to approve the UGB expansion last Monday. The Sandy Planning Commission also voted unanimously to recommend approval by the City Council. The City is moving forward on their 2020 TSP and working closely with ODOT. The Gunderson Road extension will serve the 100-lot subdivision as well a 200-250 more lots in the future. The location of the proposed park is well-suited to serve the proposed subdivisions and residents of the area. The City is currently reviewing their Parks Master Plan, which would include this new park in the near future. If there are identifying features of the Barlow Road, they feel that it would be a good fit to incorporate them into the features of the park.

Erin Findlay-Rachael Drive, Sandy: Ms. Findlay’s home is just above the proposed subdivision. Speaking on behalf of more than 40 of her neighbors who have been part of this process at the city level, they are very much in favor of the proposal. The park is a big deal for the community, and the safety of the road is a high priority for their community. An additional consideration is what would happen if an evacuation were necessary and all of the residents only had Melissa Avenue to use as a route.

Mr. Robinson added that the applicant feels that they have done everything that they can to work with the neighbors and the community to minimize any impacts and to collaborate on this project.

Commissioner Pasko closed the public hearing and moved to deliberations.

Commissioner Phillips has some concerns about the preservation of Barlow Road. She likes having a condition of approval that the applicant shall consider the impacts to Barlow Road, including, but not limited to, staging of construction equipment and excavation of the storm water facility. Commissioner Stevens agrees and thinks that the proposal is needed and has been well planned. Commissioner Murphy feels that it is a blessing to the community to have this open space offered. Commissioner Pasko’s only concern is that the zoning on the annexed property would be residential and the County would have no way to enforce it in the future.

Commissioner Phillips moved to recommend approval of File No. Z0004-20-CP based on the findings and recommendations in the March 2, 2020, staff report, including the two conditions, with an additional condition that the applicant shall consider the Barlow Road Historic Corridor and to minimize impacts by the extension of the Gunderson Road and the planned highway facilities, including but not limited to: the location of construction staging activities; excavation of the stormwater facility; and preserving any portions of the road that are apparent in the park land. Commissioner Lopes seconded the motion. *Ayes=7; Nays=0. Motion is passed.*

Jennifer Hughes provided an update on Planning Commission recruitment. Commissioners Wilson, Phillips, and Peterson’s terms expire at the end of April. Additionally, Commissioner Drazan resigned, which leaves four seats that will be open. Recruitment runs through the 15th of March, but we may extend it if needed.

The BCC is currently discussing Short-Term Rentals. Assuming that the BCC does want to allow them, we will need to do a minor amendment to the ZDO. We are waiting for their decision on which direction to go. The April 13th PC agenda is now happening on April 27th (BCC is deciding on whether or not they want to repeal hours of operation for marijuana retailers). The meeting on March 23rd is cancelled, and it is likely that the April 13th meeting will be cancelled. We will make that call as we get closer. There is a Comp Plan/Zone Change that has been submitted, but it is still incomplete a this time.

Commissioner Stevens moved to approve the minutes from January 13th as written. Commissioner Murphy seconds. *Ayes= 7, Nays=0. Minutes are approved.*

There being no further business, the meeting was adjourned at 7:56 pm.