

**CITY OF SUTHERLIN  
PLANNING COMMISSION MEETING  
CIVIC AUDITORIUM – 7PM  
TUESDAY, AUGUST 29, 2017**

**COMMISSION MEMBERS PRESENT:** Mandi Jacobs, William Lee, John Lusby, Richard Price and Sam Robinson

**COMMISSION MEMBERS EXCUSED:** Michelle Sumner

**COMMISSION MEMBERS ABSENT:** None

**CITY STAFF:** Brian Elliott, Community Development Director and Kristi Gilbert, Community Development Specialist, Lisa Hawley, City Planner, Joshua Shakelee, City Planner, and Jamie Chartier, Admin Support Assistant

**AUDIENCE:** Allen and Gale Peterson, John McDonald (ODOT), Crystal Haaby, Kelly Bay, Jim Houseman, JoAnn Rochester, Kent Rochester, Gladys Robinson, Mavis Ecker, Kathleen Case, Marty and Roger Oerman, Mark Rochester, Nanette Haley, Corinna Blevins, Adam Haley, Len and Sharon Bodeen.

Meeting called to order at 7:05 pm by Acting-Chair Lee.

**FLAG SALUTE**

**INTRODUCTION OF MEDIA:** None

**APPROVAL OF MINUTES**

A motion made by Commissioner Price to approve the minutes of the May 2, 2017 and May 23, 2017 Planning Commission meetings; second made by Commissioner Price.

In favor: Commissioners Jacobs, Price, Robinson and Acting-Chair Lee

Opposed: None

Motion carried unanimously.

**QUASI-JUDICIAL PUBLIC HEARING**

- 1. SUTHERLIN FAMILY CHURCH,** request for a Conditional Use Permit for the existing church facility on the property. This review includes the removal of a portion of the existing facility (secondary building and modular unit) and a new replacement addition on the east of the existing church and a modified parking area. The subject 1.42 acre property is located on south side of W. Sixth Avenue at its intersection with W. Branton Street in the City of Sutherlin. It is described as Tax Lots 6800, 6900 and 6901 in Section 18DD, T25S, R5W, W.M.; Property I.D. Nos. R51151, R51144 & R51137; and is addressed as 878 W. Sixth Avenue. The property is designated Medium Density Residential by the Sutherlin Comprehensive Plan and zoned (R-2) Medium Density Residential by the Sutherlin Development Code. **PLANNING DEPARTMENT FILE NO. 17-S014.**

Acting-Chair Lee opened the hearing, with the disclosure statement; all persons testifying shall be deemed parties to appeal the application and must provide full name and mailing address if they wish

to be notified of the decision, continuances, appeals, or procedural actions required by the Code. The Sutherlin Development Code specifies applicable criteria to be relied upon in making a decision.

Lee asked the Commission if there were any conflicts of interest or personal bias; hearing none, Lee then asked the audience if there were any challenges of impartiality of any person(s) on the Commission. Hearing none, Lee asked for the Staff Report.

**Lisa Hawley, City Planner**, entered Staff Exhibits 1-9, including the Staff Report into the record. She then identified the parties in the matter and summarized the Staff Report into the record.

## **APPLICANT'S TESTIMONY**

Greg Ausland, Ausland Group, Applicant's Representative, stepped forward and stated that they concurred with the Staff Report and were available for any questions.

## **TESTIMONY IN FAVOR**

There was no testimony in favor.

## **TESTIMONY IN OPPOSITION**

There was no testimony in opposition

With no further testimony, Acting-Chair Lee closed the public portion of the hearing.

A motion was made by Commissioner Price to accept Action Alternative #1 to approve the requested Conditional Use Permit for Sutherlin Family Church for 878 W. Sixth Avenue, subject to the three recommended conditions of approval; second made by Commissioner Jacobs.

In favor: Commissioners Jacobs, Price, Robinson and Acting-Chair Lee

Opposed: None

Motion carried unanimously.

## **LEGISLATIVE PUBLIC HEARING**

**CITY OF SUTHERLIN;** Urban Growth Boundary (UGB) Amendment involving the exchange of approximately 302± acres. The areas to be removed from the UGB are the City's 202± acre Ford's Pond property located on the west side of Church Road and a 100± acre property located off S. State Street on Schoon Mountain. The area proposed to be added to the UGB is primarily located at the southwest corner of Exit 136 on the south side of W. Central Ave and Fort McKay Road, and is generally bounded by Schudeiske Road on the west and Parkhill Lane and Trails End Lane on the southeast adjacent to Interstate 5. **PLANNING DEPARTMENT FILE NO. 17-S015.**

Acting-Chair Lee opened the hearing, with the disclosure statement; all persons testifying shall state their name and address. The Sutherlin Development Code specifies applicable criteria to be relied upon in making a decision.

Lee asked the Commission if there were any conflicts of interest or personal bias. Commissioner Robinson declared a conflict and indicated he would abstain from the vote. Lee then asked for the Staff Report.

**Lisa Hawley, City Planner**, entered Staff Exhibits 1-25, including the Staff Report into the record. She then entered three additional staff exhibits into the record, which were added since the mailout: Staff Exhibit 26, Staff Memo dated August 22, 2017 with attached comments received on the proposed amendment; Staff Exhibit 27, copy of documentation from ODOT, dated August 15, 2007 regarding review of traffic analysis for zone change on Fords Pond property; and Staff Exhibit 28, Staff Memo, dated August 29, 2017 regarding TIS and recommendation for City Council. Hawley then summarized the Staff Report into the record.

Ms. Hawley noted for the record that there were some incorrect maps, which have been corrected since the mailout. She then discussed the request from David and Ulena Robinson and Brenda Robinson to include the southern portion of their property at 1814 and 1818 Trails End Lane into the UGB, for utility purposes. It is Staff's recommendation to include the remainder of the property south of Trails End Ln as the FR-20 zone.

Ms. Hawley noted that Ford's Pond would be removed from the UGB and City Limits in its entirety, with the exception of five acres to accommodate for restroom facilities as proposed in the Ford's Pond Community Park Masterplan. The five acres would be zoned as the city's resource FR-20 zone.

Ms. Hawley then briefed the Commission on ODOT's request for a continuance in order to complete a Traffic Impact Study (TIS). She stated that ODOT asserts that the proposal constitutes a significant affect to an "existing or planned transportation facility" as described in OAR 660-012. As such, the city would be required to "ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP." In this case, ODOT requests that a TIS be completed by the City prior to the approval of the UGB exchange, annexation and zone change. The City argues that a TIS can be enforced as a condition of future land use actions necessary to develop the subject area beyond the capacity already accounted for. The City is willing to enter into an intergovernmental agreement (IGA) with OOT to ensure these conditions are met. The City feels that this more than satisfies ODOT's interests.

According to a trip generation assessment undertaken in 2007 and supported by ODOT, the 200-acre Fords Pond property would account for approximately 290 Peak Hour vehicle trips originating off Hwy 138 W and Church Road (accessed via Fort McKay Road), if fully developed. She then noted that this assessment was undertaken when the property was rezoned from Light Industrial to Low Density Residential. This zone change represented a reduction of 210 peak hour vehicle trips (from 501 to 290 trips). The proposed UGB exchange will relocate this capacity to the area south of Fort McKay Road. Both areas rely on substantially the same traffic facilities. City staff therefore maintains that any new development that generates fewer than 290 peak hour vehicle trips does not constitute a "significant" effect on existing or planned facilities. Staff proposes that a TIS should only be required for development resulting in excess of 290 additional peak hour vehicle trips. The City concurs that a TIS is ultimately necessary, either by the City itself or by a future developer, as the area is developed. However, the City also wants to move forward with this project in order to facilitate the UGB Exchange and the subsequent zone changes for properties desiring to annex into the City through this process.

## **TESTIMONY IN FAVOR**

**Jim Houseman, 109 Frontier Court, Sutherlin**, stepped forward and indicated that he was representing himself and Friends of Ford's Pond. He requested party status for himself and Friends

of Ford's Pond. He then indicated that he has lived across the street from Ford's Pond for 18 years, then provided some history of Ford's Pond to the Commission. He stated that it has been used for logging, fishing, recreation, etc. Mr. Houseman referenced page 19 of the Staff Report, addressing Goal 5, Open Spaces, Scenic and Historic Areas and Natural Resources. Mr. Houseman then indicated that the City and Friends of Ford's Pond were currently working on the Ford's Pond Community Park Master Plan, which is to be completed in November, 2017. The proposed master plan reflects Goal 8, Recreational Needs and is identified in the City's 2005 TSP and the City's Park and Open Space Master Plan. Following the completion of the Ford's Pond Community Park Master Plan, the City and Friends of Ford's Pond will move towards the capital improvements of the plan. Mr. Houseman noted that they would be addressing traffic, pedestrian and bicycle traffic as it relates to the community park.

Commissioner Lusby arrived at the meeting.

## **TESTIMONY IN OPPOSITION**

**John McDonald, ODOT, 3500 NW Stewart Parkway, Roseburg**, stepped forward and stated that ODOT does not object to the UGB Exchange, but only to the Zone Changes. He requested a continuance of the hearing to allow the City time to complete a TIS. Mr. McDonald also proposed that if the City chose not to continue the hearing, the City could approve the UGB Exchange without the Zone Changes. He indicated that the information the City currently has is inadequate.

## **NEUTRAL TESTIMONY**

**Gale Peterson, 1754 Trails End Ln, Sutherlin**, stepped forward and indicated that they won't object as long as they are assured that there will be no additional development south of Trails End Lane (on 1814 and 1818 Trails End Ln). She expressed concerns of the transportation patterns on their rural roads and wants assurance that traffic impacts will be addressed and improved if developed. If issues arise, they would want them resolved.

**Kathleen Case, 158 Ft McKay, Sutherlin**, stepped forward and stated that she was not interested in this process, and wanted the option to opt out.

Ms. Hawley clarified that Ms. Case is already located within the UGB and that it is up to the property owner whether they wanted to annex into the City Limits. She noted that Ms. Case did not consent to opt in and that her property is not included in the proposed annexations.

**Corina Blevins, 820 Ft McKay, Sutherlin**, stepped forward and asked for a Q & A session to be held in order for property owners to obtain answers to their questions. Property owners can then make an educated decision on the matter of whether to annex or not.

**Mark Rochester, 180 Emerald St, Sutherlin**, stepped forward and stated that he had concerns regarding the increase in traffic that would be generated. He stated that he would like a continuance to receive additional information and answers to questions.

**Corina Blevins, 820 Ft McKay, Sutherlin**, stepped forward and stated that traffic on Ft McKay is bad and would recommend a speed reduction as traffic enters into Sutherlin.

**Martha Oerman, 476 Schudeiske Rd, Sutherlin**, stepped forward and asked whether water and sewer lines would be placed through Schudeiske Rd.

Ms. Hawley clarified that water and sewer lines would be development driven and would go through the developments, rather than strictly along Schudeiske Rd.

**Mavis Eckerd, 249 Plat M, Sutherlin**, stepped forward asked about time of completion and when she could expect water and sewer for her property.

It was clarified that extension of water and sewer mains would be development driven. If the process was to continue on track, the adoption of the UGB Exchange and annexation would be complete by March, 2018. There could be expected delays that could prolong the adoption date.

With no further testimony, Acting-Chair Lee then closed the public portion of the hearing.

Discussion ensued regarding ODOT raising their concerns and the timing of the concerns. The Commission asked whether the City has been working with ODOT to try to resolve the issues. Staff indicated they have been working with ODOT; however, the City and ODOT still have different perspectives on the traffic issues. Questions were then asked about ODOT's requirements for the TIS.

John McDonald, with ODOT stepped forward to state that the Zone Change triggers the TIS and if the process is to move forward without completion of the TIS, then ODOT loses its teeth in the traffic requirements.

Discussion ensued regarding previous traffic studies west of I-5 for Fords Pond and Dovetail/Scardi. Mr. McDonald clarified that any of those studies would be outdated and they could not be used.

The Commission requested Staff to host a public Q & A session to provide another opportunity for the public to get answers to their questions on the proposal.

A motion was made by Commissioner Lusby to recommend to the City Council to approve the UGB exchange, annexations and zone changes, upon the condition that a TIS must be completed as a condition of any future land use action. This would ensure that a TIS would be completed prior to future development of properties subject to the proposed annexation and zone change, and that the proposal be amended with conditions to (1) include 1814 and 1818 Trails End Ln in the exchange as FR-20, and (2) hold a Q & A session for the public to receive answers to their questions; second made by Commissioner Price.

In favor: Commissioners Jacobs, Price, Lusby and Acting-Chair Lee

Opposed: None

Abstained: Commissioner Robinson (Conflict of Interest)

Motion carried unanimously.

## **MONTHLY ACTIVITY REPORT**

**Brian Elliott, Community Development Director**, provided the Planning Commission an update on 2017 City Projects.

- Central Avenue Pavement project was awarded by City Council to Guido Construction. Construction will begin October 1, 2017.
- North Comstock project is near completion. The second lift for paving will be done on Friday, when there was no school.

- Pavement Project – there will be three side streets paved; Mardonna (from the intersection of Fourth Avenue north approximately 440’), W. First Avenue (N. State west approx. 125’), and E. Fourth Avenue (Crown Point to Casa DeLoma).
- Central Park is near completion with a few minor adjustments to go. It’s been an epic success. The grand opening will be held on September 11, 2017 at 6:00 p.m.

**PUBLIC COMMENT** - None

**COMMISSION COMMENTS**

Commissioner Price indicated that there was a sewer connection stub installed by the mortuary several years ago, that could assist in the restroom facility requests. Mr. Elliott indicated that water was the issue.

Commissioner Jacobs expressed concerns with the maintenance of the skate park off W. Sixth Ave. Mr. Elliott stated that there was a mechanical failure on the brush hog and by the time it was repaired, there were fire restrictions. It will be cleaned up at the earliest convenience.

**ADJOURNMENT** - With no further business the meeting was adjourned at 8:45 pm.

Respectfully submitted,

*Kristi Gilbert*

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Kristi Gilbert

**APPROVED BY COMMISSION ON THE** 19<sup>th</sup> **DAY OF** September, **2017.**

*John Lusby*

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John Lusby, Commission Chair