

**STAYTON PLANNING COMMISSION
MEETING MINUTES
Monday, March 27, 2023**

COMMISSIONERS: Ralph Lewis
Dixie Ellard
Larry McKinley
Richard Lewis
Amy Watts

STAFF MEMBER: Dan Fleishman, Planning & Development Director -Via Zoom
Windy Cudd, Office Specialist

OTHERS PRESENT: Tracy Brown, Private Land Use Planning Consultant -Via Zoom; Jeff Brubaker, Co-Owner of Stayton Veterinary Hospital; Michael Ard, Traffic Consultant; Michael Aus, 1452 N Second Ave; Callie Gullett, 2108 Cardinal Ave SE; James Baxter, 1435 N Second Ave; and 5 others

1. **CALL TO ORDER:** Chair Lewis called the meeting to order at 7:02pm
2. **APPROVAL OF MINUTES:** McKinley moved, and Richard Lewis seconded to approve the minutes from February 2023, as presented. Passed 5:0.
3. **LAND USE FILE #1-02/23 – PUBLIC HEARING Proposed Code Amendments Regarding Standards for Manufactured Housing**
 - a. **Commencement of Public Hearing-** Chair Lewis read the opening statement and opened the hearing at 7:02 pm. No objections were made from the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, *ex parte* contact, or bias by members of the Planning Commission.
 - b. **Staff Report-** The issue before the Planning Commission on proposed Code Amendments to bring Development Code into compliance with the recent changes in state law by combining the standards of site-built homes and manufactured homes and having them all have the same standards.
 - c. **Questions from the Commission-** None
 - d. **Proponents Testimony-** None
 - e. **Opponents Testimony-** None
 - f. **Governmental Agencies-** None
 - g. **General Testimony-** None
 - h. **Questions from the Public-** None
 - i. **Questions from the Commission-** None
 - j. **Staff Summary-** Fleishman had nothing more to add
 - k. **Close of Hearing-** Lewis closed the hearing at 7:10pm.
 - l. **Commission Deliberation-**
 - m. **Commission Decision-** McKinley moved and Richard Lewis seconded the move to adopt the draft order prepared by staff and forward the proposed amendments to the City Council with a recommendation for adoption.

4. **LAND USE FILE #2-02/23 – PUBLIC HEARING Application for Comprehensive Plan Amendment and Official Zoning Map Amendment, Dark Horse Enterprises, LLC, 190 E Pine St**

- a. **Commencement of Public Hearing-** Chair Lewis read the opening statement and opened the hearing at 7:02 pm. No objections were made from the audience to the notice in this case or the jurisdiction of this body to hear the case.
- b. **Staff Introduction-** Fleishman explained that these are 2 concurrent applications that have been submitted for the property located at 190 E Pine St. The applications are requesting to amend the comprehensive plan designated from residential to commercial and to change the zoning for the property from medium density residential to commercial general.
- c. **Applicant Presentation-** Tracy Brown, representing the applicant, request by Dark Horse Enterprises, who owns the Stayton Veterinary Hospital, to change the comprehensive plan and zoning map for the property at 190 E Pine St. Property is approximately .29 acres at the corner of Pine and Second Avenue.

Currently zoned Medium Density Residential, requesting change to Commercial General. Plans are to expand the veterinary hospital. In the future, the additional property purchased along First Avenue will be for future expansion for parking and loading and unloading.

Jeff Brubaker, co-owner of Stayton Veterinary Hospital, stated that the new building for the vet hospital was built 6 years ago, and they have since outgrown the space and are looking to expand the physical size of the hospital as well as expand for parking.

- d. **Staff Report-** Fleishman reminded the Commission that there was a missed procedure in the opening statement. He asked the Commissioners to declare any conflicts of interest, *ex parte* contact, or bias, if any. McKinley declared *ex parte*, said he knew who lived at 190 E Pine St and observed the parking issues in and around the area. Watts declared that she has driven by the area, drives by daily. Both agreed they can remain unbiased.

Fleishman explained that correspondence from neighboring residents was received after the packet had been prepared and the draft order has been revised to reflect the written testimony.

Fleishman stated there were three Criteria for approval must be met that the Planning Commission needs to pay close attention to:

- **Adequate Utilities-** Fleishman recommended that the Planning Commission make a finding that there are adequate utilities. In the future, there may be issues with the down stream sanitary sewer capacity for those sections of W Ida and N Evergreen Ave, etc., as mentioned per City Engineer.
 - **Traffic Issues-** An analysis that is required under the State's Transportation Planning Rule that was done by Michael Ard. Ard pointed out that the worst-case scenario from potential commercial development is enough that could cause traffic concerns and therefore recommended that a condition be placed on the approval that would limit any future development of this property to no more than 200 daily trips. Reviewed by the City's transportation planning consultant and they concurred with Ard's methodology and his conclusions and concurred that such a condition would be within the realm of what's permitted under the State's Transportation Planning Rule.
 - **Compatibility with Neighborhood-** A letter was submitted, signed by nine residents of nearby properties urging denial of the application. The neighbors cited traffic impacts and incompatibility to commercial use on surrounding single family homes.
- e. **Questions from the Commission-** McKinley asked about signage that would say, resident parking only signs. Fleishman answered that there are provisions in other titles of the City Codes that do allow residential parking only.

Watts asked if the property was vacant. Brubaker answered it is vacant, and they would be removing the house on 190E Pine St. The buildings on First Ave, are they going to have more parking? Brubaker answered yes. Ard explained the 200 daily trip cap to the panel.

f. Proponents Testimony- None

- g. **Opponents Testimony-** Michael Aus, 1452 N Second Ave, lives half a block away from the proposed property. He and several other residents are wanting this application denied due to the fact that they all live in a primarily residential neighborhood.

h. Governmental Agencies- None

- i. **General Testimony-** Callie Gullett, 2108 Cardinal Ave; Spoke on behalf of the great benefit of Stayton Veterinary Hospital.

James Baxter, 1435 N Second Ave; Spoke on behalf of the benefit to our community to welcome the expansion.

j. Questions from the Public- None

- k. **Questions from the Commission-** McKinley asked about impact of parking to residents for the future determination.

- l. **Applicant Summary-** Tracy Brown stated that with the building expansion, it would require them to provide parking it will be in the “need”.

Michael Ard wanted to note that the rest of the block is all zoned commercial. Only 190 E Pine is Residential. First Avenue properties could be a fast-food space, but a parking lot for that area will be proposed, to fix the on-street parking situation.

- m. **Staff Summary-** Fleishman directed commissioners to look at both written and oral testimony in addressing approval criteria.

n. Close of Hearing- Lewis closed the hearing at 8:10pm.

- o. **Commission Deliberation-** McKinley spoke about First Ave and how it is already zoned Commercial. Watts is concerned about the existing parking in the neighborhood, hopeful they will be fixed with the new parking lot. Ralph Lewis feels that applicant has met requirements for zone change, no reason to not approve.

- p. **Commission Decision-** Ralph Lewis moved and McKinley second that the Planning Commission recommend approval of the application of Dark Horse Enterprises, LLC (Land Use File #2-02/23) and adopt the revised draft order presented by Staff. The motion was passed unanimously.

5. OTHER BUSINESS – None

- 6. ADJOURN-** Chair Lewis adjourned the meeting at 8:15pm.