

REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF AMITY, OR

Minutes

A Regular Meeting of the City of Amity Planning Commission was held at 6:30 p.m. on Monday, October 20, 2020 in the Council Chambers, City Hall, 109 Maddox, Amity, Oregon, and by Zoom phone and vide conferencing platform.

Members Present:

Steve Ruyle (Commissioner), Courtney Belanger (Commissioner), Rob Kistler (Commissioner) and Ryan Jones (Chairman)

Members Absent:

Mackenzie Davis (Commissioner)

Staff Present:

Amber Lopez (City Clerk), Michael Thomas (City Administrator) and Holly Byram (City Planner MWVCOG)

Guests Present:

Gerald Bieze (Applicant/Amity Oaks LLC.), Steve Kay (Cascadia Planning+Design/ Applicant's Land Use Consultant), Rick Nys (Traffic Engineer/Greenlight Engineering), Gail Hult (citizen), Andrew Hansen (citizen), and Brian and Cassandra Hake (citizens)

Call to Order:

Chair Jones called the meeting to order at 6:30 PM.

Approval of Minutes from July 13, 2020

Chair Jones asked if the Commission wanted to entertain a motion to approve the minutes from the July 13, 2020 Planning Commission meeting. Commissioner Ruyle moved to approve the minutes; Commissioner Belanger seconded. Motion passed 4-0.

Comments from Citizens

Chair Jones asked for comments from citizens. There was comment from Citizen Mary Jackson. Mary Jackson had a concern about how short the driveways are and how cars hangout into the sidewalks. For example, over in Merlot residential area. Mary Jackson wanted to know if in the future if the Planning Commission could make a rule that cars do not hang out into the sidewalks. Planning Commissioners had a discussion and stated that they would look into it.

Old Business

There was none.

New Business:

A. Public Hearing for Amity Oaks, LLC, Gerald Bieze, Zone Change file #2007-02ZC at 1204 S Oak St, Amity, OR 97101:

Chair Jones opened the public hearing for city file#2007-02ZC and read the standard land use hearing script, stating that all testimony must concern the approval criteria, failure to raise an issue

precludes future appeals to LUBA, and that any party may request a continuation.

Chair Jones asked Planning Commissioners for declarations of ex-parte contacts, conflicts of interest, bias, or site visits concerning the application. Commissioner Belanger declared she has a potential conflict. She works with Luke Belanger and the applicant on a burn to learn on the property. They have not been hired to do any work at this time for the applicant. Commissioner Kistler asked if Commissioner Belanger has a potential to profit or benefit from this development. Planner Byram clarified what that means, and Chair Jones should ask her if she could make an unbiased decision. Commissioner Belanger said she can make an unbiased decision. Commissioner Jones asked the rest of the Commissioners if they think Commissioner Belanger can make an unbiased decision. Commissioners all said they think she can make an unbiased decision. Chair Jones asked if anyone in the audience would like to challenge Commissioner Belanger ability to participate in the case. There were none.

Chair Jones asked for the presentation of the Staff Report.

Planner Holly Byram went over the staff report. Commissioner Kistler asked regarding the table that was in the staff report regarding the number of units. Planner Byram explained. Commissioner Kistler wanted clarification on the 2011 table and where we stand on it. Planner Byram said there is no development proposed at this time. It is the Commission's job to decide how many units are allowed per current code standards. Planner Byram continued with staff report.

Chair Jones asked if any Commission members had any questions for staff. There were questions. Commissioner Kistler asked regarding water, sewer and streets system can handle it. As the Commission they don't know if they system can handle it and go off of what staff says. Planner Byram explained that no development was proposed, and that the facilities would be reviewed when an application is made for specific development in the future. Planner Byram asked the Commission if they would like Public Works and City Engineer to come and explain the system to all of them. The Commission would like that.

Chair Jones asked if there was a presentation from the applicant. There was from applicant Gerald Bieze. He introduced his team, land use consultant Steve Kay and Traffic Engineer Rick Nys.. He turned the presentation over to Gerald Bieze's planner Steve Kay. He explained there is a need to add more housing. He went over all the positives of changing the zone on the proposed property and how it has meant all the requirements to allow the zone change.

Chair Jones asked for testimony from proponents. There were none.

Chair Jones asked for testimony from any opponents. Testimony from attendees were given:

A. Hansen is concerned about the extra traffic and the trucks coming down Oak Street. You can't drive two cars down the street. There is no access street. Also how is it going to affect the city water supply. Chair Jones clarified at this time it is just to approve the Zone Change and not the development.

C. Hake commented that she was stuck waiting for a tractor to unload for 15 minutes.

Chair Jones asked if any additional Opponents. There was written testimony submitted. Chair Jones read the written testimony into the record from G. Hult.

Chair Jones asked for testimony from neutral parties. There were none.

Chair Jones asked if there was any more testimony of proponents, opponents, neutral parties including government bodies. There were none.

Chair Jones asked for rebuttal from the applicant. There was rebuttal. Applicant's Planner Steve commented to the testimony. He explained about a turn around requirement that will need to be done if a development goes in. He explained how this development would need to make upgrades to the City's infrastructure system. There is no development plan at this time, but if there is then all that will be addressed. Right now, it is just a zone change request.

Chair Jones asked for motions to continue the hearing or leave the record open. There were none.

Chair Jones asked if the applicant waives the 7-day period to submit final written argument. The Applicant waived the 7-day.

Chair Jones closed the public hearing.

Chair Jones opened for discussion by the Planning Commission. There was discussion from Commissioners.

Commissioner Kistler clarified with the concerned Citizens that spoke that this is only a zone change not a development. The Commission isn't voting on a development but only a zone change. He wants to encourage the developer to build a bridge to Hwy 99w which would solve some of the concerns from the Citizens. Planner Byram stated that would be outside City's jurisdiction. The transportation plan does not contemplate a bridge across ash wale. That would be a Yamhill County decision since it would be outside of City limits.

Chair Jones asked in regard to the traffic analysis and is it going to change once school is back in session. Rick Nys who did the traffic study explained the study happened in 2019 when school was in session and before COVID-19.

Commissioner Belanger asked about Amity mobility standard and who adopted it. Planner Byram explained who would have adopted the standard. Applicant's traffic engineer explained that Amity doesn't have a mobility standard. He explained further on what they all studied. Commissioner Belanger was just wanting clarification how it worked when there isn't an adopted mobility standard plan. Rick explained further that you could adopt on in the development code.

Commissioner Belanger asked when the need for growth study was last done. Planner Byram explained when it was done, prior to the last UGB expansion.

Chair Jones asked if there were any more questions from the commissioners. There was none.

Commissioner Ruyle made motion to approve the zone change application, file #2007-02ZC, and adopt the findings included in the staff report dated September 11, 2020. Commissioner Belanger seconded and with no further discussion motion passed 4-0.

Chair Jones explained that the final decision is made by the City Council. The decision may be appealed in 12 calendar days from the mailed notice of decision.

Next Meeting Date:

Chair Jones set the next meeting to November 9, 2020 at 6:30 pm, and the Commission all agreed to the meeting. Planner Byram said there is nothing planned for the agenda regarding land use but maybe have Public Works and City Engineer come and do an informational session on the City's system.

Commissioner Belanger made suggestion to work on the Amity Comprehensive Plan and update it in the future. Chair Jones said could bring it up at the next meeting. Administrator Thomas let Commission know that there was a recent situs update done. Planner Byram explained regarding the Amity Comprehensive Plan and how smaller cities don't have the funds or the time to update and most cities need an updated one. Commissioner Kistler asked for a PDF copy of the Amity Comprehensive Plan. Planner Byram explained that it is on the website. Administrator Thomas let Commission know he will send them all the updated map.

Adjournment:

Chair Jones adjourned the Planning Commission meeting at 7:45 p.m.

Respectfully submitted,

N. Johnson, City Recorder

Attested

Ryan Jones, Chair