



# CITY OF DONALD

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## Planning Commission

### Action Agenda Summary

Thursday, May 28, 2020 at 6:45pm

**Donald Wastewater Treatment Plant – 10501 Donald Rd. NE, Donald OR**

**Also available via Video/Phone Conference through Webex for Public**

**Open Meeting:** Chair Cammi Hungate opened the meeting at 6:45pm on Thursday, May 28, 2020. This meeting was held at the Donald Wastewater Treatment Plant 10501 Donald Road NE. Due to the COVID-19 social distancing restrictions, this meeting was held electronically using the online program Webex. The public was served notice on the meeting's agenda about how to attend, listen, deliver information and/or participate in this meeting. Using Webex is free of charge.

#### **Pledge of Allegiance**

#### **Roll Call**

*Present:* Chair Cammi Hungate, Vice Chair Neil Strathdee, Commissioners: Daniel Afonin (phone called), Don Saxton, John Crawford and Mike Mader.

*Staff Present:* City Planner Holly Byram (via video), City Attorney Andrew Cole, City Manager Heidi Bell, Public Works Director Alonso Limones and City Clerk Randi Meadors.

**Add or Delete Agenda Items:** None for the regular agenda but several testimony letters were printed and put in front of the Commissioners. These testimonies were added during the public hearing.

**Approval of Action Agenda Summary:** February 27, 2020: (Postponed)

**General Comments from the Public:** Chair reviewed the ways for the public to be involved in this meeting. There were no general comments received for this meeting.

#### **Public Hearings:**

The public hearing on this matter will be conducted in accordance with the rules of the DDO 3.205 for public hearings before the Planning Commission and Oregon Revised Statutes (ORS) 222.

- I. City File #ANX 2020-01 Annexation of approximately 61 acres into the Donald City Limits; and City File #ZC 2020-01 Zone Change from Marion County UT - Urban Transition to City of Donald R7 and RM Residential Zones.**

Chair Hungate opened the Public Hearing at 6:59 pm.

Planner Byram read the legally required language for a land-use public hearing into the record, including how to give testimony and submit documents into the record, or appeal. She reported that the substantive criteria upon which this case will be decided are: Oregon Revised Statutes (ORS) Chapter 222 City Boundary Changes, Oregon Statewide Planning Goals,

1986 City-County UGB IGA, Donald Comprehensive Plan Goals & Policies, Donald Development Ordinances (DDO) Sections: 2.103 R7 Zone, 2.104 RM Zone, and 3.111 Zone Changes.

The callers were unmuted and all people in attendance were asked the following questions:

- Chair Hungate asked if there were any declarations of ex-parte contact, conflict of interest or bias. The following declarations were made: Vice Chair Neil Strathdee and Chair Hungate both stated that they had read comments on social media but made no comments on social media regarding this application. Planning Commission Mike Mader declared a conflict of interest and physically removed himself from his seat and went into the audience.
- Chair Hungate asked if there were any objections to the notice that was published? There were none.
- Chair Hungate asked if there were any objections to the jurisdiction of this body to hear and consider this matter? There were none.

City Planner Holly Byram delivered her staff report, she stated the conditions of approval and that staff recommended that the Planning Commission recommend approval of the application to the City Council.

Mimi Doukas and Alex Hurley presented on behalf of the applicant. They stated that they were in agreement with the findings. Ms. Doukas provided an overview about the City's past work to prepare for the growth, including all the reports and meetings. She stated that although this is a giant application, it is a phased development and they have requested up to 12 years for the development. She stated that the need is to house people that work in this area. She believes that people will be pleased with the results. The infrastructure will also be phased over time as well and working with the staff to get all the pieces in the right place, at the right time to address capacity issues. She discussed the process for annexation and zone change, and that all the pieces are in order for the Commission tonight. She introduced Alex Hurley and the property owner that was in attendance.

- Chair Hungate asked if there were any questions of staff before continuing and hearing from the applicant and accepting testimony?
- Chair Hungate asked if the applicant, or applicant's representative was present? If so, would the applicant/applicant's representative like to address the Commission?

Callers and people attending by video conference were unmuted and invited to participate, but no comments were received via the phone lines or video conferencing from the public. Then people that were physically present in the audience were invited to speak.

All written testimony was received prior to the start of the meeting and copies were placed at the Commissioner's seats for them to read, also they were read/discussed during the public hearing.

- Chair Hungate asked if there was any testimony in support of the application? None.
- Chair Hungate asked if there was any testimony opposing the application?
  - Kathy & John Griffin, 11507 Donald RD NE, Aurora OR 97002: letter submitted.
  - Curt & Lexi Kipp: 11005 Rees Street NE, Donald OR 97020: letter submitted.

- Chair Hungate asked if there was any testimony neither for nor against (neutral) the application?
  - FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205: letter submitted
  - HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204: letter submitted
  - Mimi Doukas and Alex Hurley (applicant rep) AKS Engineering & Forestry 12965 SW Herman Road, Ste. 100 Tualatin, OR 97062: provided oral response to HLA/FHCO letter
  - Wendy Scharich, 20874 Matthieu Street, Donald OR 97020: Oral Testimony: Stated her concern about infrastructure funding.

Public Works Director Limones provided information about the City's current water infrastructure and future needs. He discussed the City's process regarding the Master Plans for water and sewer. There was discussion by Manager Bell about grants that have been received for this project and funding. She stated that regardless of the application that the City Council wants a second well drilled for redundancy purposes for any emergency that way the City has more than one well. City Attorney Cole provided input about the legal requirements and process about annexation applications and development. He also discussed funding tools like system development charges and that new people are required to pay for each new extension of the systems and that they are to pay for infrastructure that is already in place. He spoke about the evaluation process that occurs with applications. He spoke about the differences between old infrastructure to serve current people, versus new infrastructure to support new users.

- Ron Chase, 20306 Butteville Road, NE Hubbard OR 97032: Made a statement about surprising results from the transportation comments. He also expressed his concerns around drainage. He also wondered if there were any ideas or thoughts about continuing a road onto Feller Road.

Chair Hungate asked the applicant if they would like to rebut?

Mimi Dukas and Alex Hurley, the applicant's engineers provided the rebuttal to the testimony that was heard and submitted. Ms. Dukas spoke about the impacts to transportation and that mainly the project will have effects on County intersections, which are a part of County projects. She explained that the applicant will have to provide a proportionate share for the effect on the transportation system. She explained that transportation system plans project for 20 years; and that the traffic that this project brings is essentially included because it is a part of the growth that was projected for 20 years. She spoke about fair contributions that are fees given. She stated that the extension of Feller Road is not included because it is a County road, that is outside of the City's UGB and state land use planning laws doesn't allow for these accommodations easily. The roads will be stubbed out in case there is future growth that way. There will always be people that don't want growth, but it is an exciting way to accommodate growth and change is always hard.

Mr. Hurley provided information about the drainage for the application and referred to a City map. He stated that the blue area is the development and the green area is the current City drainage area. He said it is essentially a "pond" and described how it will work with it being metered out so that it mimics the natural path the water currently takes. There was discussion about the actual path that the water currently takes on this property through pipes and ditches to a stream.

Planner Byram directed the Commission to her memos that were at their seats, both dated May 28, 2020 one regarding Revised Goal 10 Findings for Adoption and the other Revised Conditional of Approval #5. She gave background on each memo and addressed the staff's concerns. She read aloud the new proposed condition of approval #5.

Chair Hungate asked if there were any additional questions for the Commissioners, staff or anyone else before she closes the Public Hearing? None.

Chair Hungate closed the Public Hearing at 8:29pm.

The Commissioners held discussion regarding the following topics:

- Density concerns during a Pandemic we are now asking people to be spaced apart but yet our housing developments seem to be denser.
  - Although there are issues that have come up tonight that relate to the future application, tonight should be about the annexation and zone change.
  - Clarification about the multi-family being a part of the zone change application tonight.
  - Planner Byram states that the applicant's proposed zones are not changing anything that was previously approved by the City. It is as it was proposed during the UGB process.
- ✓ Vice Chair Strathdee motioned and Commissioner Crawford seconded to recommend the City Council approve concurrent files ANX 2020-01 and #ZC 2020-01, and adopt staff report findings and recommend conditions of approval as revised by staff's two memos dated May 28, 2020, amending the recommended Goal 10 findings and the recommended Condition of Approval #5. No further discussion. Vote: 5-0-0. Motion carried.

**II. City File #SUB 2020-01 Develop a 299-lot subdivision; and City File #PUD 2020-01 Planned Unit Development approval to develop an "agri-hood community" composed of 299 single-family homes with public open space, community gardens, park, walking paths, community center, limited commercial space, event space, and site for future apartments/townhomes. Modifications to the Donald Development Ordinance (DDO) standards requested include: minimum lot size, side setbacks, block length, street design right-of-way width, approval timeline, etc.**

City Attorney Cole stated that the public hearing script did not need to be read that it could be continued to June 18<sup>th</sup> without reading the script.

Commissioner Crawford motioned and Commissioner Saxton second to continue the Public Hearing City File #SUB 2020-01 and City File #PUD 2020-01 Planned Unit Development to June 18<sup>th</sup>, 2020 at 6:45pm. Location was to be determined. (No staff report or public testimony was given on these applications.) No discussion. Vote: 5-0-0. Motion carried.

Manager Bell stated that most likely the June 18<sup>th</sup> meeting will be back at the Wastewater Treatment Plant with the same social distancing requirements.

## **New Business**

**I. Planning Commissioner Application: Alysha Irvin (Term 12/31/2022)**

Commissioner Mader resumed his seat on the Commission. Chair Hungate had Alysha Irvin give background about herself and her interest in the position on the Commission. Ms. Irvin stated that she has lived in Donald approximately three years, she works at a credit union,

recently joined the Budget Committee and heard that this would be another good way to be involved.

- ✓ Vice Chair Strathdee motioned and Commissioner Saxton seconded to recommend to the City Council Alysha Irvin fill the open Planning Commission Seat with the term ending 12/31/2022. No discussion. Vote 6-0-0. Motion carried.

**Old Business:** None

**Commissioners' Discussion:**

The Commission discussed the Fargo contract and their future anticipated growth rate and how it effects the expansion of the City. There was discussion and an update given about the Little City Park's restroom project.

**Mayor's Communication with Commission:** None

**City Planner's Report:**

Planner Byram gave an oral report summarizing the work from the last Commission meeting in February to current day.

**City Manager's Report**

Manager Bell referred to her report that was included in the Commissioner's packets for prior inspection.

**Adjourn**

- ✓ Commissioner Saxton motioned and Vice Chair Strathdee seconded to adjourn the Planning Commission meeting at 8:52pm. No discussion. Vote: 6-0-0. Motion carried.

Date: June 18, 2020

Signed:   
Cammi Hungate, Chair

**ATTEST:**

Date: June 18, 2020

Signed:   
Heidi Bell, City Manager