



**PLANNING COMMISSION MEETING
ZOOM MEETING
Tuesday June 30, 2020 at 6:30 pm
City Council Chambers
13690 NW Main Street
Banks, OR 97106
MEETING MINUTES**

Chair Bench called the meeting to order at 6:40 pm. The proceedings were recorded in digital format.

ROLL CALL

Present were: Jeremy Bench, Chris Zechmann, Tammie Buck, Katherine Brown

Attending: Jolynn Becker, City Manager; Angie Lanter, City Recorder; Lauren Scott, City Planner;
Dan Kearns, City Attorney

APPROVAL OF MINUTES

1. Approval of minutes from the May 26, 2020 meeting.

Commissioner Zechmann moved to approve the Planning Commission minutes from May 26, 2020 as presented. Commissioner Buck seconded the motion, which passed unanimously.

PUBLIC COMMENT – There was none.

PUBLIC HEARINGS

2. SPR 20-01. Site Plan Review to construct a 30-unit multi-family housing development at 42350 NW Banks Road.

Chair Bench called the public hearing to order at 6:43 pm. He read the conduct of hearing format. He called for disclosure of any ex parte contacts, conflicts of interest, or bias from the Commissioners. There were none.

City Planner Scott presented the Staff report via PowerPoint, highlighting the project's location, surrounding features, and background with these key comments:

- The proposal was for a 30-unit, multi-family housing development which would consist of five, three-story buildings with parking located on-site.

- The project was sent to other agencies and departments for review and responses were received from the City Engineer, Clean Water Services, and Jacob Pence, the Banks High School Principal.
 - No public comments were received regarding the project.
- In 2019, the Planning Commission and City Council approved Comprehensive Plan Map and Zoning Map amendments for this site which changed the land-use designation and zoning from single-family residential (R-5) to multi-family (R-2.5). The application was found to be consistent with the Development Code, Comprehensive Plan, and statewide planning goals. Specifically, the proposed changes met the documented need for multi-family housing in Banks, were found to be compatible with surrounding uses in the area, and the transportation system was found to have adequate capacity to serve a future housing development of 30 units.
 - She noted the City water moratorium did not apply to this development as the previous applications for the zone change and Comprehensive Plan amendment were submitted prior to the moratorium going into effect. Additionally, the City Council included an exception to the moratorium for multi-family housing applications with a minimum of 25 units and a maximum of 40 units.
- The approval of the zone change and Comprehensive Plan amendment included approval of a conceptual design with the understanding that the Applicant would need to undergo the site plan review process for any specific development proposed in the future. The prior approval did not bind the Applicant to any specific design.
 - Access to the site would be via a driveway off of NW Banks Rd. The parking lot would have 60 spaces and wide access for emergency vehicles, as well as a fire truck turnaround area.
- The minimum density standard in R-2.5 zones was 17.42 dwelling units per acre, and the project proposed 30 dwelling units per acre. There was no maximum density in the R-2.5 zones.
- The lot met the size requirements for the zone, and the development also met the required setbacks. The proposed building coverage of 28 percent was less than the maximum 50 percent building coverage. The 30-ft building height limit would not be exceeded.
- The Applicant was proposing that 30 percent of the site to be landscaped which exceeded the 15 percent requirement. The landscaping selection would include a variety of trees, shrubs, and grass that would screen the perimeter of the site and extend into parking lot islands and around the buildings.
 - The parking area would be screened from adjacent properties with a site-obscuring fence and landscaping and from Banks Rd with landscaping.
- The City Engineer found the application to be consistent with the City Code.
 - Per the findings of the previously approved zone and map changes, the development would result in a 3 percent increase in water demand, which the City could accommodate. Water and sewer were available in Banks Rd, and storm water facilities were available and would be provided by Clean Water Services, which provided draft conditions which Staff incorporated into the conditions of approval.
 - A Transportation Impact Analysis (TIA) was submitted with the Map amendment and zone change application. The TIA found that the existing transportation system had adequate capacity and that the addition of 30 units would not cause any intersections to drop below minimum levels of service. These findings were confirmed by the City Engineer.
 - A new impact analysis was not required for the subject application because the number of units did not change from the previous application for the zone change.
 - NW Banks Rd was under the jurisdiction of Washington County, which had no comments or conditions for the project.
 - The project would include right-of-way dedication and roadway improvements for cars, bicycles, and pedestrians, which included sidewalks.

- The 60 onsite parking spaces met the Development Code standard of two parking spaces per unit. The driveway access and on-site circulation met the Development Code standards.
- The site was within the Banks School District, and Staff received a letter from High School Principal Jacob Pence, stating that the Banks High School had capacity for new students and could serve the proposed development as the school was under enrolled.
- Neither the Washington County Sheriff's Department nor the Banks Fire District submitted comments or noted any concerns with the proposed project.
- Staff recommended approval of SPR 20-01 based on the findings and subject to the conditions of approval contained in the Staff report.

Chair Bench clarified the Planning Commission's decision meeting in tonight's hearing would be the final decision for the application unless there was an appeal, which would go to City Council. Commissioner Buck confirmed there were no public comments and noted at the prior meeting for the zoning change, some community members had discussed the application with the Commission and had expressed some concerns. She wanted to ensure their concerns were heard and documented.

City Manager Becker responded that the required public notice had been mailed to property owners surrounding the site, printed in the newspaper, and posted around Banks in early June and also last week. The public notice solicited comments regarding the project, noting citizens had the option to contact the City to be put on the agenda to make public comment. No comments, emails, or phone calls were received by the City in the last week from concerned citizens.

Chair Bench clarified that the role of the Planning Commission was to make sure the proposed application was consistent with the applicable approval criteria and standards of the Development Code.

Commissioner Zechmann asked if the three handicap spots in the parking lot would impact parking. He also asked if plans were in place to address any overflow parking.

City Planner Scott stated Development Code standards did not specify how many of the required spaces needed to be ADA accessible parking spaces. She noted the TIA found that the 60 proposed spaces met the Code criteria and the demand for the housing development.

Commissioner Buck asked if the parking demand included both residents and visitors.

Greta Armstrong, Ardor Consulting, LLC., representing the Applicant, stated the 60 spaces were not assigned to certain units, so all would be available for use by residents and visitors.

Commissioner Buck inquired about the Code requirements for green space and playground areas, noting that no play structure or play area was shown.

City Planner Scott clarified that no green space or playground area was required for site development review for a single lot. The only requirements were the 15 percent landscaped area and that 5 percent of parking area must be landscaped.

Chair Bench called for the Applicant's presentation.

Ms. Armstrong thanked Staff for all their work. She stated the Applicant accepted all the conditions of approval, noting she did not have any additional comments to add to Staff report.

Commissioner Brown noted that with no assigned parking, residents might need to walk quite a distance to get to their car. She described times when there might be more than two cars per unit,

such as on major holidays or if a high schooler lived in the unit and asked what other parking options were available outside of the 60 proposed spaces.

Ms. Armstrong replied the 60 spaces were intended for both residents and visitors and met the Code requirement of two spaces per unit, which had been shown to be adequate to serve the units. She noted some people might not own a car, and some units might have two or three cars. The site was very tight on space and the Applicant provided as many parking spaces as possible. Parking took up the majority of the site. There was a balance between providing residential units and adequate parking.

Commissioner Brown said that was where the density factored in; the density was almost double what the site was originally zoned for. The site had a narrow ingress and egress. The proposal might meet minimum standards, but often a complex had a wider entrance to allow other avenues for people to get in and out and to park.

Ms. Armstrong stated the Applicant was confident they had met the standard and that the space was adequate to serve the development.

Commissioner Zechmann noted visitors might park at the Banks-Vernonia State Trailhead parking lot or in the trailhead's overflow gravel lot should parking on the site become full. He was concerned about residents taking up the parking at the trailhead. He asked how long-term parking worked at the trailhead.

City Manager Becker replied that parking at the trailhead was open until 7:00 pm. She did not know how parking was handled after hours.

Commissioner Buck confirmed the development had only one entrance and exit. She asked for clarification regarding fire safety codes.

Ms. Armstrong replied the site had a hammerhead turnaround that met the Fire Code standards.

City Planner Scott added the onsite circulation met Banks' emergency access requirements and the Fire Department did not have comments or concerns regarding the onsite circulation. She explained the Code did not require a second means of egress since the driveway met the width standards and fire turnaround area was provided.

Chair Bench called for testimony from those in favor of, opposed, or neutral to of the application. City Recorder Lanter stated no one had signed up to provide public testimony on the proposal.

Chair Bench agreed with the Staff report that the Applicant had met the criteria. However, he had hoped to see a design that might have been more attractive to families as Banks continued to grow.

The existing apartment complex in town had two-bedroom, one-bath units, and he would have liked to have seen a variety of apartment configurations, which would have made him happier supporting the project. That variety would have made the project more attractive in addressing the city's housing issue rather than continuing to provide what was already on the market. He asked what drove the idea of two-bedroom units being in demand as opposed to other configurations.

Ms. Armstrong replied the developer was responding to the market's demand for two-bedroom units. The property owner had other apartment developments in the local area and the proposed configuration was in high demand and successful on those other properties. The developer was responding to something that would provide an economic balance, so the site could be developed while still realizing an economic benefit.

Chair Bench confirmed there was no testimony from those who recently logged into the Zoom meeting. He called for the Applicant's rebuttal.

Ms. Armstrong reiterated that the Applicant had met the approval criteria and she appreciated all the work done by Staff and the Planning Commission.

Commissioner Buck asked if there were codes regarding safety related to the active railroad being near the development that needed to be addressed.

City Planner Scott stated the Banks Development Code did not have any requirements regarding the active railroad; however, the application was routed to the Oregon Department of Transportation (ODOT). ODOT had no comments regarding a housing development near the railroad tracks.

City Manager Becker added that the railroad track on Banks Rd would be removed within the next two to three years due to an intersection project.

City Recorder Lanter stated she had just received an email from Alicia Martinez, 42349 NW Banks Road. She read Ms. Martinez' comments into the record as follows:

"My concern is the trailhead traffic overflows and parks on the side of Banks Rd, making it very hard to see exiting the driveway. The speed is 25 mph, but vehicles go in excess of the speed up and down the hill. I do not see how one driveway will be enough. I would like an explanation on how the water shortage and having odd and even days, right now, will not worsen. Thank you, Alicia Martinez."

Chair Bench noted much of that had been addressed in the Staff report and asked if Staff had further comments.

City Planner Scott stated in response to the overflow parking and traffic concerns, the development met the Code criteria and the TIA did not show any issues or that any intersections would drop below the required levels of service. The driveway met the vision clearance standards for entering and exiting. As discussed, the water moratorium included an exception for multi-family development between 25 and 40 units. The Applicant was not required to comply with the water moratorium. City Council in its findings of the water moratorium found that housing, and specifically, multi-family housing, was needed in Banks.

City Manager Becker clarified that the odd and even watering days was not a restriction, but rather a Water Conservation Plan that Council put into place several years ago that followed the example of other cities in Oregon. She noted that design standards for plumbing options and drought-resistant landscaping were currently part of the City's existing Code. She noted the subject development would also comply with the water restrictions in the Conservation Plan.

Chair Bench closed the public testimony portion of the public hearing and called for Commissioner deliberation.

Commissioner Buck stated she was not convinced about the parking. She understood parking was based on a per unit basis, but visitor parking and traffic on Banks Rd would have an impact. Overflow parking would really impact the trailhead because that was where many visitors would park. On paper, it looked great, but in reality, she did not know if it would be that simple.

Commissioner Zechmann asked if a two-car maximum per unit would be in the bylaws for the development.

Ms. Armstrong said she did not believe that limit would be a part of the rental agreement.

Commissioner Buck noted Page 7 of the packet stated the site would contain more than four off-street parking spaces that would be served by a 24-ft wide, two-way driveway. She asked where those spaces were located on the map.

City Planner Scott clarified that "off-street" meant the parking was on site. The site would contain more than four off-street parking spaces, which were shown as the 60 onsite parking spaces.

Commissioners Zechmann stated that even though the application met the Code requirements, he believed there were going to be parking issues, so it was a difficult decision.

Commissioner Buck agreed. She asked if the space near Building A could be used to accommodate visitor parking and added to the site plan.

City Planner Scott explained the Planning Commission lacked the authority to require more spaces beyond the Code's requirement of two parking spaces per unit for multi-family development. She noted the space near Building A was within the 25-ft front yard setback.

Commissioner Zechmann moved to approve SPR 20-01 based on the findings and subject to the conditions of approval contained in the Staff report. Commissioner Buck seconded the motion, which passed 3 to 1 with Commissioner Brown opposed.

Commissioner Buck noted the Planning Commission had the option to approve with modifications and asked why she could not suggest an option for more parking spaces to be added near Building A.

City Planner Scott explained changes could be made if a Code standard allowed for modifications, such as with the landscaping plan. Although the landscaping requirement had been met, the Commission could request that a different screening tree be used based on Code criteria.

- She also confirmed the speed limit and parking overflow options could be assessed outside of this development application. She stated the application needed to be assessed under Codes adopted at the time.

WORK SESSION

BUILDING PERMIT REVIEWS – INFORMATION ONLY – (None)

VERBAL STAFF REPORTS AND UPDATES

3. Planning Project Updates

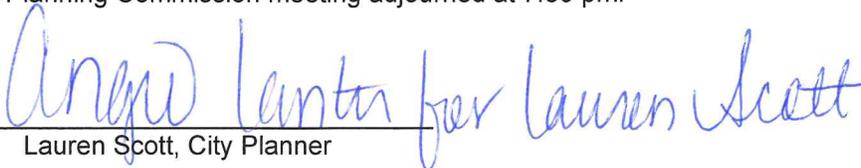
City Manager Becker stated a virtual open house was planned for the Code Assistance Project in July and the Commissioners could expect to receive an invitation.

OTHER BUSINESS

There was none.

ADJOURN: The Planning Commission meeting adjourned at 7:39 pm.

Submitted by:


Lauren Scott, City Planner