

The Junction City Planning Commission met in regular session on Wednesday, October 21, 2020 at 6:30 p.m. in the Council Chambers at City Hall, 680 Greenwood Street, Junction City Oregon and remotely via internet and phone.

**Present were:** Planning Commissioners, Jeff Haag (Vice-Chair), James Hukill, Ken Wells, Brian Wells, Jim Creech, and Cindy Montgomery; Planner, Henry Hearley; City Attorney, Carrie Connelly; Public Works Director, Gary Kaping, and Planning Technician/Secretary, Tere Andrews

**Absent:** Commissioner Beverly Ficek

**1. OPEN MEETING AND REVIEW AGENDA**

Vice Chair Haag opened the meeting at 6:30 pm and led the Pledge of Allegiance.

**2. CHANGES TO THE AGENDA**

None.

**3. PUBLIC COMMENT (FOR ITEMS NOT ALREADY ON THE AGENDA)**

None.

**4. PUBLIC HEARING: PHASE 1 PRELIMINARY SUBDIVISION (FILE #SUB-20-26)**

Vice Chair Haag opened the public hearing for Phase 1 Preliminary Subdivision (92 Lots), Rolling Meadows on October 21, 2020 at 6:36 p.m.

Vice Chair Haag introduced himself. The public hearing would be conducted in accordance with the Junction City Municipal Code and state law (ORS 197.763).

If members of the public intended to testify, please speak clearly, and state your name and address for the record.

The Vice-Chair and Planning Commission were required to disclose any conflicts of interest and ex-parte contacts related to the proposal or applicant.

Commissioners participated in the public hearing only if they could do so without undue bias either for or against the application.

Vice-Chair Haag asked if any Planning Commissioners wished to make disclosures.

Commissioner Montgomery stated she spoke with Planning Technician Andrews by phone about city ordinances, specifically regarding lot sizes in PUD's (Planned Unit Developments), and parks and recreation. Planning Technician Andrews followed up with emails pertaining to the general discussion on PUD's,

and parks. The discussion and emails were not specific to the application before the Commission.

There were no other disclosures.

Vice-Chair Haag asked if there were any challenges from the audience as to conflicts of interest, ex parte contacts, or bias related to any member of the Planning Commission.

There were none.

Vice Chair Haag invited Planner Henry Hearley to review the staff report.

Planner Hearley reviewed the staff report for tentative approval of a Phase 1 subdivision (SUB-20-26) and final approval for an overall PUD (Planning Unit Development) (PUD-20-27)

The maps included with the proposal were before the Planning Commission in February of 2019 for PUD Stage 2 approval. The Commission approved the Stage 2 PUD at that time.

A new subdivision application was before the Commission for preliminary approval (SUB-20-26). The public hearing was for the preliminary subdivision (SUB-20-26) only. Stage 3, final approval of the PUD did not require public hearing.

The subject site contained wetlands. An existing wetland delineation for the site expired. Thus, the applicant was working with the Oregon Department of State Lands (DSL) for a new delineation. Lots 7, 8, and 18 contained wetlands and would require a DSL permit before construction could begin. An open space was proposed on the west side of the subject site with nearly all wetlands. A wood chip path would be added with native trees along the path. The area beside the path would be used for stormwater management.

The proposed Phase 1 subdivision contained 92-lots, of which eight would be medium density. Phase 1 would take access from West 10<sup>th</sup> Avenue and involved improvement at the intersection of Oaklea Drive and W 10<sup>th</sup> Avenue. Park development and recreational path development would be involved with Phase 1.

The larger development consisted of a six phase PUD, with final build out in expected 2026. Final build out for Phase 1 was expected in October of 2022. At final build out, the city could expect 54 medium density lots, 278 low density lots, and one high density lot possibly for apartment development.

Also included in the overall development would be four parks, one with a paved basketball court, and two with playground equipment. Phase 2 would take access from West 6<sup>th</sup> Avenue and the intersection at Oaklea Drive and W 6<sup>th</sup> Avenue would come into play. A portion of a park would be built during Phase 1 with the second portion of the park built in Phase 2. Once development occurs that abuts Oaklea Drive, the PUD and the road will be separated by a sight and sound barrier.

Streets within the PUD would be constructed to full local standards and dedicated once completed. The paved width of the streets will be 36-feet with 5 ½ foot sidewalks on both sides. Reserve strips will be placed at the phase lines to preserve future phases. Condition of approval one required the reserve strips to be shown on the final plat and the land that comprised the reserve strips to be placed under the jurisdiction of the city.

Three street stubs would also be placed at the northerly and southerly extensions. The street stubs preserved right-of-way for land likely to be partitioned or subdivided in the future. Two street stubs were proposed for Phase 1 at the intersections of W 10<sup>th</sup> Avenue and Darlington, and W 10<sup>th</sup> Avenue and Echo Mountain Road. These street stubs were intended to preserve future right-of-way to the undeveloped lands to the north towards The Reserve at Junction City. The required street stubs were implemented by Condition of Approval two.

The street names match the pattern established by The Reserve at Junction City to the north. However, Lucia Avenue was not a numbered street, and did not match the Junction City naming convention. The applicant and Public Works were aware and the street would be renamed to match city naming convention. The change was implemented by Condition of Approval three.

Oaklea Drive was under Lane County jurisdiction. They had no concerns about the re-ordering of the phases. Lane County submitted comments for the overall PUD and for Phase 1. Staff noted that the improvements called for by Lane County were either already completed or in the process of being completed as part of a joint road improvement project for the extension of West 10<sup>th</sup> Avenue west of Oaklea Drive. The joint project was between the applicant and the developers to the north.

As Phase 2 developed, the applicant would be required to conduct urban roadway improvements at the intersection of West 6<sup>th</sup> Avenue and Oaklea Drive.

The applicant would work closely with Junction City Public Works, and Lane County Transportation on all the required roadway improvements.

The Planning Commission, during PUD Stage 2 review granted the applicant at 15% density bonus which allowed for up to 15% more lots to be developed. Also, the Planning Commission granted reductions to the following lot standards: lot width of 50-feet, and a minimum lot size of 5,000 square feet for R-1 lots. The lot standards approved during the State 2 review, were the same as those proposed for Stage 3 final PUD approval.

Phase 1 included the development of a .22-acre park shown on the map at the corner of Lucia and Echo Mountain Drive. The wood chip recreational path (next to Phase 1) would also be developed. After completion, the city would take over long-term ownership and maintenance of all parks and open spaces. Once completed, the parks and open spaces were available for anyone to use regardless of whether or not they lived in the PUD.

Planner Hearley reviewed the Conditions of Approval for Phase 1. As discussed previously, Conditions one through three included reserve strips, street stubs, and the renaming of Lucia to a numbered street. The remaining 12 Conditions were as follows:

4. Two pedestrian walkways of not less than 10-feet in width
5. Proof of dedication of utility easements
6. Placement of fill to be approved by City Engineer
7. Final plat to be reviewed and approved by the Planning Commission
8. Access to all utilities brought to finished grade
9. Recording of a Homeowner's Association documents
10. Sign permit required for entry sign
11. DSL Wetland delineation required for lots 7, 8, & 18
12. Entry sign for Phase 1 to be placed prior to final plat approval
13. Completion of Phase 1 park and open space required before Phase 1 final plat approval
14. Compliance with all Lane County Surveyor Comments (Attachment N)
15. Lane County Transportation approvals for Phase 1 required prior to final plat approval

Staff found that Phase 1 preliminary subdivision could be approved subject to the Conditions of Approval, Findings, and recommendations as contained in the staff report.

Stage 3, final PUD approval did not require a public hearing, only Planning Commission review to find whether the final proposal was similar or the same as

that approved in Stage 2. Overall, the PUD was the same as that approved by the Planning Commission in Stage 2 with the exception of the re-ordering of the phases. Some conditions had changed slightly to reflect the urban roadway improvements on West 10<sup>th</sup> Avenue (rather than West 6<sup>th</sup> Avenue). The layout of the PUD was the same as was the number of lots. Stage 3 was the last and final step for a PUD. Minor changes were permitted pursuant to Code. The renaming of a street was a minor change that could be completed by staff. Larger changes required review, and approval by the Planning Commission. Except for major changes, the Stage 3 review was the last opportunity for the Planning Commission to weigh in on the PUD. However, the Planning Commission would review and approve each and every subdivision phase contained in the PUD.

The preliminary PUD (Stage2) and a preliminary subdivision application were submitted at the same time. In that case, the PUD received the same expiration date, of two years, as the preliminary subdivision. The preliminary PUD was approved in February of 2019 with an expiration date of February 2021. The applicant submitted a final PUD map before February 2021. The information contained on the preliminary PUD map was also contained on the final PUD map. The applicant reordered the phase, but the proposal was the same. The applicant submitted an HOA (Homeowners Association) agreement that was to be recorded at the time of final plat approval for Phase 1 (attachment Q). The HOA called for parks and open space to be dedicated to the city after completion.

The Stage 2 conditions of approval were reviewed. The amount of acreage for parks and open space was unchanged from Stage 2 approval. Junction City Public Works required bonds for any public infrastructure. The parks condition was slightly revised to read, parks were to be fully completed for the Phase in which they occurred. That meant the park and open space within Phase 1 would be fully completed prior to final plat approval. After Phase 3, all of the open space adjacent to the wetlands would be completed. The wetland enhancement for Phase 1 would take the form of a wood chipped path and native tree plantings. The wetland enhancements for Phase 1 did not involve disturbance of wetland, thus DSL did not require approval. It was noted that the applicant was working with DSL on a new delineation. Wetland development permits would be required for the development. The applicant was working on a sign permit for the entry sign of Phase 1. The applicant demonstrated that the remainder of the PUD Stage 2 conditions had or could be met.

Staff found that the final PUD, and preliminary subdivision Phase 1, could be approved by the Planning Commission subject to the conditions of approval, findings, and recommendations as contained in the staff reports.

Attorney Connelly clarified information on the final PUD was presented to the Planning Commission during the public hearing solely because the comments raised by members of the public seemed to confuse the two. She wanted to be clear for the Planning Commission purposes, all they were considering in the public hearing was the subdivision, not the final PUD. The final PUD was not subject to a public hearing and would be considered after the public hearing for the subdivision was closed.

Vice-Chair Haag thanked Attorney Connelly for the clarification.

Commissioner Sumner asked Planner Hearley if Condition #7 (page/slide 24) referred to West 10<sup>th</sup> Avenue or West 6<sup>th</sup> Avenue.

Planner Hearley responded Commissioner Sumner was correct, it should read dedication of West 10<sup>th</sup> Avenue.

Vice Chair Haag asked if there were any other questions from the Commission.

There were none.

Vice Chair Haag asked if the applicant or their representative would like to speak.

***Applicant and Others in Favor May Speak***

The applicant's representative, Marc Cross, Rhine-Cross Group, LLC, 112 North 5<sup>th</sup> Street, Klamath Falls, OR 97601 thanked Planner Hearley for his presentation. He reiterated the reason for the new preliminary subdivision application was due to the change of Phase 1 location within the PUD. He responded to the question from Commissioner Sumner with regard to the Stage 2 Conditions. The original Phase 1, which was now Phase 2, took access from West 6<sup>th</sup> Avenue, therefore conditions were written for improvements of West 6<sup>th</sup> Avenue before West 10<sup>th</sup> Avenue improvements. Now Phase 1 would take access from West 10<sup>th</sup> Avenue. The main reason for the change and reordering of the phases was the timing of development to the north. A lot of the improvements to West 10<sup>th</sup> Avenue were to be shared between the developers and it made more sense to move Phase 1 up to West 10<sup>th</sup> Avenue.

The applicant had no objections to the Conditions as stated in the staff report.

Vice Chair Haag asked if the Commission had questions for Mr. Cross.

There were none.

Vice Chair Haag asked if there was anyone else who wished to speak in favor of the proposal.

There were none.

***Neutral Testimony***

Vice Chair Haag asked if there was any neutral testimony.

There was none.

**Those Opposed May Speak**

Vice Chair Haag asked if there was anyone who was opposed to the proposal.

Mr. Wayne Earnshaw, 997 Walnut Street, Junction City OR 97448, voiced concern about the lot size. He asked if the written comments he submitted had been reviewed by the Commission.

Technician Andrews responded the written comments from Mr. Earnshaw had been included with the Planning Commission packets.

**Mr. Earnshaw** asked if it was possible for fencing along Oaklea Drive be completed during Phase 1 or Phase 2 to ensure the fencing occurred sooner rather than later in the development. His second concern related to the 15% reduction based on their three criteria. He asked if the landscaping/tree plan was sufficient to meet the criteria toward the reduction.

Planner Hearley stated per City Code a sight and sound barrier was required when property abuts a right-of-way. According to the PUD map, that would occur in Phases 5, 6, and partially in Phase 2. The fencing/barrier was not involved in Phase 1 because none of the lots in Phase 1 backed up to Oaklea Drive. Thus the sound barrier was not being required at this time. At the time the lots abutting Oaklea Drive were developed, the sight and sound barrier would be required. The Code did allow for Commission discretion in certain cases.

Mr. Earnshaw explained his concern was that Phases 1 and 2 were with the applicant (developer), if no development took place beyond the first two phases, residents in the area were left with no sound barrier, and no landscaping along Oaklea Drive.

Vice Chair Haag explained that the same conditions would apply to any developer who took over the project. He added information in the packet explained that landscaping and fencing would not be completed until the final elevations were achieved since early placement of the fence could require its removal and replacement as ground levels changed over the course of development.

Mr. Earnshaw thanked the Commission.

Vice Chair Haag asked if there was anyone else who wished to speak.

There were none.

***City Staff Summary/Response to Public Testimony***

Vice Chair Haag called for a staff summary or response to testimony.

There were no additional comments from staff.

***Applicant Rebuttal***

Vice Chair Haag asked if the applicant had anything to add.

Mr. Cross stated it was important to the applicant that the fence not be conditioned with Phase 1. He explained putting in the fence with Phase 1 required placing the fence at the current level, then as Phases 4, 5, and 6 developed, the fence would have to be removed to bring the ground level up to final grade and rebuild the fence. He added there were utilities along Oaklea that would be installed as the Phases were developed. Phase 1 was nearly 500 feet from Oaklea Drive. He believed the field near Oaklea would continue to be farmed with grass until each Phase was developed.

Vice Chair Haag thanked Mr. Cross for his explanation and asked if there were any questions from the Commission.

Commissioner Montgomery asked which attachment contained responses to the written comments submitted.

Attorney Connelly replied it was Attachment P, page 188 of the packet.

Commissioner Montgomery thanked Attorney Connelly.

Vice Chair Haag asked if there was any additional evidence or responses.

There was none.

Vice Chair Haag asked if there were any requests to keep the record open.



Hearing none, Vice Chair Haag closed the public hearing and record at 7:17p.m.

**Motion:** Commissioner Hukill made a motion to approve with conditions Rolling Meadows final Planned Unit Development master plan, File # PUD-20-27, and Rolling Meadows Phase 1 preliminary subdivision, File # SUB-20-26 with Findings as presented. Commissioner Sumner seconded the motion.

**Vote:** Passed by a vote of 6:1:0. Vice Chair Haag, Commissioners, K Wells, B Wells, Creech, Sumner and, Hukill voted in favor. Commissioner Montgomery voted against.

Planner Hearley noted the one change to the Final Order for the final PUD was to update Condition #7 from a reference to West 6<sup>th</sup> Avenue to West 10<sup>th</sup> Avenue.

Attorney Connelly agreed.

Attorney Connelly, and Planner Hearley left the meeting.

#### **5. TEMPORARY USE PERMIT EXTENSION: BEER GARDEN (TUP-18-01)**

Planning Technician Andrews explained the owner of the Beer Station was requesting a one-year extension of their Temporary Use Permit (File # TUP-18-01). If granted by the Planning Commission, it would be the second of two one-year extensions permitted under Junction City Municipal Code 17.150.140.

The Planning Commission originally approved a Temporary Use Permit for the Beer Garden on November 21, 2018 to host Mobile Food Units on their property. The Planning Commission granted a one-year extension on October 21, 2019. The extension was due to expire on November 21, 2020. If approved the second extension would expire November 21, 2021.

Current Code language did not permit or deny Mobile Food Units. An update to the Municipal Code was underway. The Commission reviewed sample Mobile Food Unit Code language that their September 16, 2020 meeting. Commission feedback from that meeting was being compiled by staff and would be presented at the next Planning Commission meeting.

**MOTION:** Commissioner Hukill made a motion to approval the Beer Station extension request for their Temporary Use Permit File, TUP-18-01 with a new expiration date of November 21, 2021. Commissioner Creech seconded the motion.

**Vote:** Passed by a vote of 7:0:0. Vice Chair Haag, Commissioners, K Wells, B Wells, Creech, Montgomery, Sumner, and Hukill voted in favor.

#### **6. MINOR PARTITION: 755 W 3<sup>RD</sup> AVENUE (MP-20-11)**

The applicant requests a Minor Partition to divide an existing lot into two parcels.

This is an application for a minor partition on an existing, platted lot with frontage on West 3<sup>rd</sup> Avenue to the north and Maple Street to the west, in Junction City.

The partition application, if approved, divided one existing lot into two legal parcels. There were public utilities (i.e. water, sanitary sewer, storm sewer) available adjacent to the subject site or within the public right-of-way. Findings as stated in the staff report found that the application conditionally met applicable Junction City Municipal Code 16.05.030.

**MOTION:** Commissioner Creech made a motion to approve with conditions as stated in the final order the Minor Partition for Tax Lot 00800 of Assessor's Map 15-04-32-33, File # MP-20-11. Commissioner Hukill seconded the motion.

**Vote:** Passed by a vote of 7:0:0. Vice Chair Haag, Commissioners, K Wells, B Wells, Creech, Montgomery, Sumner, and Hukill voted in favor.

#### **7. REVIEW OF PLANNING COMMISSION APPLICATIONS AND POSSIBLE RECOMMENDATIONS TO MAYOR AND COUNCIL**

Technician Andrews explained there were three regular seats with terms expiring on October 31, 2020. These were the Commission seats of Jim Creech, Beverly Ficek, and Ken Wells. Terms for both Alternate positions were also due to expire on October 31, 2020. Commissioners Creech, Ficek, and K Wells, along with Alternate Sumner, had all submitted applications. An application was also received from Mr. Doug Easterday.

**MOTION:** Commissioner Hukill made a motion to recommend to the Mayor and Council that Commissioners Creech, Ficek, and K Wells, be appointed to the regular seats on the Planning Commission, and that Jack Sumner and Doug Easterday fill the Alternate seats. Commissioner Brian Wells seconded the motion.

**Vote:** Passed by a vote of 7:0:0. Vice Chair Haag, Commissioners, K Wells, B Wells, Creech, Montgomery, Sumner, and Hukill voted in favor.

#### **8. PLANNING COMMISSION OFFICER ELECTIONS**

**Consensus:** By a consensus of the Planning Commission, officer elections were postponed to the November Planning Commission meeting.

## 9. COMMISSIONER COMMENTS

Commissioner Sumner asked when in-person meetings might resume.

Commissioner Montgomery suggested the possibility of a hybrid meeting (combined in-person and virtual)

Technician Andrews would check into options.

Commissioners K Wells and Sumner thanked staff for their efforts.

## 8. ADJOURNMENT

**Motion:** Commissioner Creech made a motion to adjourn the meeting. Commissioner Hukill seconded the motion.

**Vote:** Passed by a vote of 7:0:0. Vice Chair Haag, Commissioners, K Wells, B Wells, Creech, Montgomery, Sumner, and Hukill voted in favor.

The meeting adjourned at 7:50 p.m.

The next Standing Planning Commission meeting was Wednesday November 18, 2020 at 6:30 p.m.

Respectfully Submitted,

---

Tere Andrews, Planning Commission Secretary

---

Jeff Haag, Planning Commission Vice-Chair