

City of Hood River
Planning Commission
Public Meeting
April 6, 2015

City Council Chambers
211 Second Street
Hood River, OR 97031

PRESENT: Chair Nathan DeVol, Nikki Hollatz, Bill Irving, Casey Weeks, Jennifer Gulizia, Victor Pavlenko

ABSENT: Commissioner Jodie Gates (excused)

STAFF: Planning Director Cindy Walbridge, Senior Planner Kevin Liburdy

MINUTES

I. CALL TO ORDER – Chair DeVol at 5:35 P.M

II: PLANNING DIRECTOR’S REPORT: Planning Director Walbridge provided an update regarding the Buildable Lands Inventory (BLI) and Housing Needs Analysis (HNA). Planning commission work sessions will be scheduled in June to review the BLI and HNA. A hearing is anticipated before the commission on July 6, 2015.

III: PUBLIC HEARINGS:

A. FILE NO: 2014-36 - Curtis Homes Annexation and Subdivision

PROPOSAL: Annexation into the city limits of one parcel totaling approximately one acre, and a subdivision to establish four lots including associated site improvements. The property owner is initiating annexation in order to obtain sanitary sewer, water and other services from the City of Hood River.

APPLICANT/OWNER: Curtis Homes, LLC c/o Cameron Curtis

PROPERTY LOCATION & ZONING: The property is located at 3645 May St. (south side of May St. between 28th St. and Ordway Rd.). Legal Description: 3N10E35BC Tax Lot 500. The parcel currently is zoned Urban Standard Density Residential (Urban Growth Area, U-R-2) and it will remain Urban Standard Density Residential (R-2) following annexation.

Chair DeVol opens the hearing at 5:40 p.m., reads the script explaining procedures for tonight’s meeting and asks for details of any ex parte contact, bias or conflict of interest on the part of any commissioner.

Commissioner Gulizia owns a photography business and occasionally takes photos for the applicant's business. Due to a conflict from a direct financial interest, Gulizia recuses herself.

No other ex parte contact, bias or conflict of interest is declared by any other commissioner. No challenges are made to commissioners by the audience, and no commissioner challenges another commissioner.

STAFF REPORT: Liburdy presents the staff report including verification of the applicable criteria. The Planning Commission is making a recommendation to the City Council for the annexation, and the City Council will make a decision on the annexation application after holding a second public hearing. The Planning Commission is making a decision on the subdivision, which will be contingent upon approval of the annexation by the City Council.

The City Limits abuts the eastern and northern boundaries of the subject property. The subject property will be withdrawn from both the Ice Fountain Water District and the West Side Rural Fire Protection District (WSFD) in association with this annexation, and the applicant will be responsible for compensation to the WSFD for five years of lost tax revenue.

The Preliminary Subdivision Plat depicts the four proposed lots meeting the development standards of the underlying zoning district. Public utilities are available to serve the subdivision. "Half-street" improvements to the Urban Residential Collector standard are proposed along the site's frontage on May Street. A 40-foot-wide right-of-way is proposed to be dedicated to the public along the site's western property line to facilitate construction of a "three-quarter street" improvement to a Local Street standard. It is anticipated that the remainder of the Local Street, 10 feet of right-of-way for a five-foot-wide sidewalk and a planter strip with street trees, can be dedicated and constructed in the future if the parcel located immediately west of the subject property is redeveloped. It is recommended that mitigation trees are planted at a ratio of one tree for each Significant Tree that is removed. Staff recommends that the planning commission forwards a recommendation of approval of the annexation to the City Council subject to the draft conditions of approval. In addition, staff recommends that the planning commission approves the preliminary subdivision subject to the draft conditions of approval.

Commissioner Weeks asks if the proposed "three-quarter street" improvement is appropriate, or if it could result in a future request to vacate the right-of-way because it is substandard.

Liburdy explains that the proposed location of the street is consistent with the city's standards for street connectivity and maximum block length as addressed in the staff report.

PUBLIC TESTIMONY

Chair DeVol reads the script for public testimony and invites proponents of the proposal to speak.

Cameron Curtis, Curtis Homes, LLC, 870 Makena Lane, Hood River, OR 97031. Mr. Curtis explains that the staff report is good and he is happy to answer any questions of the commission.

DeVol questions whether duplexes are in fact likely to be developed as explained in the application materials, or if it is likely that single-family dwellings will be constructed.

Curtis responds that duplexes will be constructed in order to provide eight affordable housing units.

DeVol questions if the lots are designed to accommodate conversion of duplexes to townhouses.

Curtis responds that he has no intention to build anything by duplexes.

Liburdy responds that the proposed lot sizes appear to be adequate to support conversion of duplexes to townhouses subject to conformance with applicable standards.

DeVol questions whether the proposed temporary turn-around will remain adequate for the Fire Department.

Curtis responds that the turn-around will be permanent until the local street is extended.

Liburdy responds that draft condition of approval no. 26 addresses requirements for the turn-around.

DeVol calls for other proponents to testify. There are none.

DeVol calls for neutral parties to testify. There are none.

DeVol calls for opponents to testify. There are none.

DeVol calls for applicant's rebuttal. There is none.

DeVol calls for staff rebuttal. There is none.

DeVol closes the hearing at 6:00 p.m. and calls for deliberation.

DELIBERATION

Commissioner Irving questions tree mitigation requirements and whether a minimum caliper size should be specified.

Liburdy responds that a minimum caliper size is required for public street trees, however there are no specific size requirements for replacing Significant Trees on private property. It is recommended that mitigation trees are distributed throughout the site, and smaller native trees may grow more successfully than if larger native trees are planted.

Irving points out that an easement for the fire department turn-around is not noted on the preliminary plat and questions if it should be noted on the final plat.

Liburdy responds that an easement should either be depicted on the plat or recorded as a separate document in association with the final plat.

Irving questions if the fire department turn-around should be included in the calculation of maximum lot coverage.

Liburdy suggests addressing the issue in the findings and conditions of approval.

Irving questions whether the building envelopes depicted on the preliminary grading plan should be included on the final plat.

Liburdy responds that building envelopes will not be depicted on the final plat.

DeVol questions findings in the staff report addressing modification of lot width.

Liburdy responds that, because Lot 1 is adjacent to May Street a greater building setback will be required along that lot line. As such the applicant may want to increase the width of the lot and decrease the width of one or more of the other lots to compensate for the change. In any case the final plat must demonstrate all lots comply with minimum lot width standards.

Irving questions whether proposed driveways depicted on the preliminary grading and utility plans meet separation standards.

Liburdy responds that driveways will be required to comply with the separation requirements of Hood River Municipal Code Chapter 13.28.

DeVol questions where the proposed street will connect.

Liburdy explains the Transportation System Plan does not identify a specific location but it could connect with Belmont Avenue in the future.

The commissioners determine that the temporary fire department turn-around on Lots 3 and 4 should not be included in the calculation for maximum lot coverage, but an

easement should be depicted on the final plat or a plat note should be included on the final plat to verify the existence of a temporary fire department turn-around easement recorded as a separate document.

MOTION: I move to recommend approval of the annexation to the City Council subject to the findings and conditions of approval in the staff report; and, I move to approve the subdivision contingent upon City Council approval of the annexation, subject to the findings and conditions of approval in the staff report, and subject to the following additional conditions of approval: a) driveways shall meet the city's driveway separation standards; b) the temporary fire department turn-around shall not be included in the calculation of maximum lot coverage; and, c) a note shall be included on the final plat designating the location of the temporary fire department turn-around easement.

First: Hollatz

Second: Pavlenko

Discussion:

Vote: Motion passed

Ayes: Irving, Hollatz, Weeks, Pavlenko, DeVol

Nays: None

Abstentions: None

Recused: Gulizia

Excused: Gates

B. FILE NO. 2014-44 - Willow Ponds Planned Development and Subdivision (Phases 4-6)

PROPOSAL: A Conditional Use Permit for a Planned Development featuring a 34-lot subdivision for single-family dwelling units. The proposal includes dedication of public right-of-way, designation of common open space tracts and easements, private street improvements, installation of public and private utilities and construction of associated site improvements including landscaping. The proposed subdivision is to be constructed in three phases as an extension of the original Willow Ponds Planned Development.

APPLICANTS/OWNERS: Barone Holdings, LLC c/o Jacquie and Pasquale Barone

PROPERTY LOCATION & ZONING: South of the existing phases of the Willow Ponds Planned Development on the south side of May Street, west of Rocky Road and east of Frankton Road. Legal description: 3N 10E 34AC Tax Lot 3100. The site is in the Urban Low Density Residential (R-1) Zone and in the I-84 Exit 62 Interchange Area Management Plan Overlay Zone.

Chair DeVol opens the hearing at 6:14 p.m. and explains that he will not re-read the script explaining procedures for tonight's second hearing because there has been no

change in the audience after opening the first hearing. DeVol asks for details of any ex parte contact, bias or conflict of interest on the part of any commissioner.

Irving had an email exchange with the applicants regarding the timing of their development. DeVol discussed open space requirements with Mr. Barone about a year ago. Neither of the communications results in a conflict.

No other ex parte contact, bias or conflict of interest is declared by any commissioner. No challenges are made to commissioners by the audience, and no commissioner challenges another commissioner.

STAFF REPORT: Liburdy presents the staff report including verification of the applicable criteria. Notwithstanding the specific requirements of the city's approval criteria, criteria applicable to this proposal are applied and interpreted in a manner consistent with requirements for "needed housing" as provided in Oregon Revised Statutes (ORS) 197.303, 197.307, and 227.173(2). Certain subjective standards based upon compatibility and general impact to the neighborhood cannot be applied to an application for "needed housing."

The Willow Ponds Planned Development originally was processed by Hood River County and approved in 2003. The approved plan was to be constructed in four phases, consisting of 58 lots, 56 of which were for single-family dwellings and two of which could be developed into as many of eight townhouses resulting in up to 64 dwelling units. Subsequently the property was annexed to the City of Hood River. Based on the original approval, all phases of Willow Ponds were to be platted by April of 2009 or any remaining phase became void. Phases 1 and 2 of Willow were platted as originally approved including development of Lots 1-23 and open space Tracts A and B. In March of 2009 the applicants received approval for a minor modification of the third phase resulting in development of Lots 24-27 and open space Tracts C and D. The remaining phase that was not platted then expired.

The subject parcel for currently proposed Phases 4-6 totals approximately 9.84 acres. However, the total area of the original four-phase PUD, approximately 19.28 acres, is proposed to be used to calculate maximum density and minimum common open space for the PUD. As addressed in the findings, the current proposal exceeds maximum standard density by one unit and it appears to have less than the required amount of common open space. However, the applicants can designate additional open space and request "bonus density" by proposing affordable housing and/or enhanced architectural character.

Staff recommends approval of the application subject to the draft conditions of approval in the report, including meeting density and open space requirements. And, although subjective criteria addressing Impact and Compatibility are not being applied due to potential conflicts with requirements for "needed housing," it is recommended that the final CC&Rs explain to homeowners in the PUD, particularly those purchasing Lots 54-59, that they are located next to an operating orchard and that they should acknowledge the right of adjacent farm operators to employ accepted farm management practices.

There is an error on page 52 of the staff report under preliminary plat approval criterion number two which refers to four lots. This should instead refer to 34 lots.

PUBLIC TESTIMONY

Chair DeVol reads the script for public testimony and invites proponents of the proposal to speak.

Jacquie Barone, Barone Holdings, LLC, 1730 Orchard Road, Hood River, OR 97031. Ms. Barone provides background on the Willow Ponds Planned Development. In association with the original first phase of Willow Ponds, she extended an Ice Fountain Water District water line from Frankton Road that was sufficient to serve the site. However, water pressure dropped after the City annexed the property and started providing water service. Now the city is requiring a water line between the site and Rocky Road, and about 21,000-square feet of the site is being lost to dedication for the future road along the southern property line which results in several smaller lots. Due to provisions in the CC&Rs for lot coverage, the smaller lots will result in smaller homes. But, a mix of housing sizes and design articulation is the goal and there is a design process for each home, including for landscaping. Property owners will work with an architect and the Homeowners Association design review committee prior to construction of homes.

Ms. Barone reviewed a number of the draft conditions of approval. The project engineer will verify provision of common open space to meet requirements. The recommendation for street names in Condition no. 10 is not consistent with requirements to avoid duplicating names. Recognizing wetlands on the site have evolved with the reduction in water supply from Farmer's Irrigation District, wetland delineations will be prepared in association with each phase to meet the requirements of the Department of State Lands. It is not clear what Condition no. 35, regarding an Agreement for Improvements, applies to. Condition no. 40 requires street lights but the neighborhood has a dark sky limitation. Property owners are working together to remove invasive weeds from open space tracts.

Pasquale Barone, Barone Holdings, LLC, 1730 Orchard Road, Hood River, OR 97031. Mr. Barone explained that each home is designed to capture views and for solar exposure. Excellent design is expected and the PUD should qualify for bonus density.

DeVol calls for other proponents to testify. There are none.

DeVol calls for neutral parties to testify. There are none.

DeVol calls for opponents to testify. There are none.

DeVol calls for applicants' rebuttal. There is none.

DeVol calls for staff rebuttal.

Liburdy explains that he discussed Condition no. 35 with the City Engineering Department prior to the hearing and the intent was to require an Agreement for Improvements for the properties abutting the future public street to construct sidewalks and street trees, rather than require all property owners in the PUD to build the public road.

Irving questions how the public street will be constructed in the future.

Walbridge responds that it may be constructed by another developer or through a Local Improvement District.

Liburdy explains that Condition no. 40 regarding street lights is written in a manner that allows the developers to work with the City Engineer on the final design and location of street lights recognizing this is a PUD and they will be lighting private streets.

Liburdy suggests removing the bullet from Condition no. 10 that recommends street names and instead simply require street names to be consistent with city standards.

Irving questions use of the acreage of the overall 19.28-acre site to calculate density and open space requirements.

Ms. Barone responds that all open space tracts are still owned by the Barones.

Liburdy responds that the majority of open space designated in the original PUD is located in Phases 1-3.

Walbridge responds that this was the direction she provided to the applicants during the pre-application conference. There are fewer wetlands on the site than at the time of the original approval, therefore there is more useable open space in Phases 4-6.

Liburdy refers the commission to Attachment "B", the original preliminary plan for a four-phase PUD, noting the location of open space tracts.

Irving suggests using provision for bonus density for the existing 9.84 parcel rather than calculating density based on the original 19.28-acre site.

DeVol closes the hearing at 6:55 p.m. and calls for deliberation.

DELIBERATION

Gulizia has no questions.

Irving is concerned about calculations for density and open space, and notes that the word "features" in Condition no. 2 should be "feature."

Irving recommends a condition should be adopted to require the CC&Rs and Design Guidelines are recorded with the final plat, possibly amending Condition no. 22.

Irving recommends a condition that all lots must be annexed into the HOA prior to recording the final plat in order to address maintenance of common open space.

Hollatz recommends a condition to require review of architectural features in order to qualify for bonus density if there is consensus that bonus density should be granted.

Liburdy suggests amending Condition no. 2 and addressing the qualification for bonus density in the findings.

Pavlenko asks if there is consensus on the method being used to calculate open space, which is acceptable to him.

Walbridge responds that part of the PUD lapsed but the applicants have returned with a nearly identical plan, plus dedication of public right-of-way.

Weeks recommends scratching the bulleted note from Condition no. 10, regarding street names, and making it consistent with Condition no. 32.

DeVol asks for verification that Blackberry Drive is expected to be extended and, if so, that the proposed design will facilitate extension.

Liburdy responds that the proposed segment of Blackberry Drive on the site is private but a public access and utility easement is proposed, and it is designed in a manner that it can be extended to the east and west of the site. A condition of approval is recommended to ensure extension to the east prior to final plat of Phase 4.

DeVol asks if Blackberry Drive will need to be widened in the future to meet city standards.

Liburdy responds that it is likely it will remain at the proposed width.

DeVol asks for clarification of the Fire Chief's concerns about Lots 41 and 42.

Liburdy responds that, due to their distance from a street, the Fire Chief may require installation of residential fire sprinklers in homes on those lots.

Irving questions approving density as proposed.

Walbridge responds that bonus density of up to 33% can be approved based on provision of architectural features.

Hollatz recommends amending Condition no. 2.

Irving recommends updating findings to allow 10% bonus density, resulting in a maximum of 34 homes based on a 9.84 acre site.

MOTION: I move to approve the PUD and subdivision subject to the findings and conditions of approval in the staff report, subject to the following modifications: a) correct the finding on pg. 52 to reference 34 lots rather than four lots; b) amend Condition no. 10 to remove the bulleted note; c) amend Condition no. 22 as necessary to require, prior to recording the final plat, that the Homeowners Association must agree to accept proposed open spaces for maintenance, and the CC&Rs and Design Guidelines must be recorded for the new phases; d) amend findings and clarify Condition no. 35 to apply the Agreement for Improvements to properties abutting the future public street for the purpose of requiring installation of sidewalks and street trees; and, e) amend findings of Section 17.07.090(A.4) and Condition no. 2 to provide 10% bonus density to allow a maximum of 34 lots.

First: Hollatz

Second: Pavlenko

Discussion: DeVol asks if Condition no. 10 needs a reference to street naming standards and Liburdy confirms it does as drafted.

Vote: Motion passed

Ayes: Gulizia, Irving, Hollatz, Weeks, Pavlenko, DeVol

Nays: None

Abstentions: None

Recused: None

Excused: Gates

IV: ADJOURN: 7:27p.m.

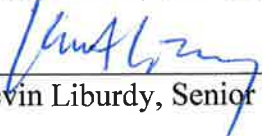
ATTEST:




Nikki Hollatz, Vice Chair



Date



Kevin Liburdy, Senior Planner



Date (Approved)