

**CITY OF SILVERTON
PLANNING COMMISSION MINUTES**

7:00 P.M.

JUNE 11, 2019

The Planning Commission of the City of Silverton met at the Silverton Community Center on June 11, 2019 at 7:00 p.m. with Chairman Flowers presiding.

I. ROLL CALL:

Present	Absent	
<u> X </u>	<u> </u>	Chairman Clay Flowers
<u> X </u>	<u> </u>	Vice-Chairman Gus Frederick
<u> X </u>	<u> </u>	Morry Jones
<u> </u>	<u>Excused</u>	Chris Mayou
<u> X </u>	<u> </u>	Rich Piaskowski
<u> X </u>	<u> </u>	Tasha Huebner
<u> X </u>	<u> </u>	Peter Matzka

STAFF PRESENT:

Community Development Director, Jason Gottgetreu and Planning and Permit Assistant, Kate Schlee.

II. APPROVAL OF THE MINUTES FROM THE MEETING HELD , 2019:

Commissioner Piaskowski moved to approve the minutes of April 9, 2019 as presented. Commissioner Matzka seconded the motion and it carried unanimously.

III. BUSINESS FROM THE FLOOR:

There were no comments.

IV. AGENDA ITEMS:

4.1. 202 N James Street Comprehensive Plan and Zone Change CP & ZC -19-01

Chairman Flowers reviewed the public hearing procedures and opened the public hearing at 7:03 p.m. No commissioners abstained, declared ex parte contacts or conflicts of interest.

Community Development Director Jason Gottgetreu used a PowerPoint presentation to discuss Agenda Item 4.1, a Comprehensive Plan Map Amendment to designate 202 North James Street Multiple-Family Residential with a concurrent zone change to zone the property Multiple-Family Residential (RM-10). The building was built in 1901 as a general store and later converted to

three apartments. It is currently classified as a nonconforming development, which means that allowing the zone change would allow the existing triplex to be reconstructed if destroyed or demolished by any means. The RM-10 zoning district allows densities between 10-20 units per acre. 202 James Street is 0.21 acres in size and is located on the northeast corner of the intersection of Pine Street and N James.

Due to the lot size, a zone change to RM-10 would allow between 2 and 4 dwellings to be built on the site and would permit adding one more dwelling to the site in its existing form or constructing a new four-plex if it were destroyed or demolished. However, the application would require a design review to ensure the plan follows the criteria found in the Silverton Development Code, which would include utility, parking, buffering and type of use standards.

Commissioner Matzka asked what other options the owner would have should the structure be destroyed if it was not re-zoned. Director Gottgetreu stated that it could have a single-family home or duplex through the conditional use process.

Chairman Flowers asked the height of the apartment buildings behind Wilco. Director Gottgetreu responded that the height is approximately 35 feet tall to the average height of the roof, which is the maximum height allowable in a RM-10 zone.

Applicant's Testimony:

David Willis, 1779 95th Street, Salem, OR

Mr. Willis stated that he is purchasing the property and plans to clean it up. Currently, he cannot get financing because the structure could not be re-built in its current configuration.

Commissioner Frederick asked if Mr. Willis had spoken to any of the neighbors. Mr. Willis responded that he hasn't put a lot of time into it because he doesn't own the property and doesn't know if he is going to own it. Until he knows how the planning commission is going to vote on this request.

Chairman Flowers asked for clarification on the reasons the applicant is making the request for the zone change. Mr. Willis explained that he would like to get financing, he wants to continue to provide low-income housing and would like to be able to rebuild if it burns down. Chairman Flowers explained his concerns about doing a zone change to meet an applicant's business plan.

Commissioner Matzka stated that he has concerns about Mr. Willis' uncertainty of whether or not he will own the property because no matter what Mr. Willis' intentions, the property could be sold to someone else who could do something completely different and if the zone change were to happen, it can't be easily changed.

Chairman Flowers reviewed the Public Hearing procedures and asked for public testimony.

Public Testimony: None

Proponent Testimony: None

Opponent Testimony: None

Neutral Testimony: None

Written Testimony: Attached to Staff Report.

Rebuttal: None

Commissioner Frederick moved to close the public hearing, Commissioner Piaskowski seconded the motion and it passed unanimously. The public hearing was closed at 7:52 p.m.

Commissioner Frederick brought up a similar situation with a property owned by Howard Hinsdale.

Commissioner Piaskowski got clarification from Director Gottgetreu on the building standards for the RM-10 zone.

Commissioner Huebner voiced her concerns about the building being re-built and being a monstrosity, as well as, the intersection being very busy.

Commissioner Frederick moved to recommend to the city council the approval of the zone change as written, Commissioner Piaskowski seconded the motion. The motion was a tie: In favor: Chairman Flowers, Commissioner Frederick, Commissioner Piaskowski; Opposed: Commissioner Matzka, Commissioner Jones, Commissioner Huebner.

The city council will make the decision at a second public hearing, to be held on July 1st.

Amendments to conditions: None

4.2 Development Code Amendment DC-19-02

Chairman Flowers reviewed the public hearing procedures and opened the public hearing at 8:11 p.m. No commissioners abstained, declared ex parte contacts or conflicts of interest.

Director Gottgetreu used a PowerPoint Presentation to present the proposed Development Code Amendment to more specifically incorporate the city's Transportation System Plan, Water Master Plan, Storm Water Master Plan, and Sanitary Sewer Master Plan into the Development Code, including language regarding intersection level of service standards. The application will be reviewed following the criteria found in Silverton Development Code section 4.7.200. The purpose of this amendment is to fill a deficiency within the development code. In a recent LUBA decision, it was found that the incorporation of the city's master plans within the development plan was too broad and more specificity is necessary to implement the standards of those plans throughout the development review process.

Commissioner Piaskowski asked if revisions to the individual master plans would automatically include updates to the Comprehensive Plan. Director Gottgetreu responded that updates to the master plans could be done simultaneously with Comprehensive Plan updates, but because the Comprehensive Plan refers to specific sections of the master plans, it would not be an automatic change.

Chairman Flowers asked if the city attorney has reviewed these proposed updates. Director Gottgetreu said that the city attorney is currently reviewing the changes.

Chairman Flowers reviewed the Public Hearing procedures and asked for public testimony.

Public Testimony: None

Proponent Testimony: None

Opponent Testimony: None

Neutral Testimony: None

Written Testimony: Attached to Staff Report.

Rebuttal: None

Commissioner Frederick moved to close the public hearing, Commissioner Matzka seconded the motion. The Public Hearing was closed at 8:30 p.m.

Commissioner Piaskowski asked if there is anything additional associated with traffic in the region that could be improved at this time. The members and Director Gottgetreu discussed options.

Commissioner Huebner moved to recommend approval of the proposed criteria, as written. Commissioner Frederick seconded the motion. The motion carries unanimously.

V. REPORTS AND COMMUNICATIONS

One public hearing scheduled for the July regular meeting and possibly one or two more.

The neighborhood association discussion will continue in a public hearing coming up in July or at a later meeting.

Commissioner Piaskowski stated that there seems to be a lot of discomfort with the 35 feet height requirement in certain situations. He suggested that the topic be brought up at a work session to explore if it is appropriate in certain situations.

Chairman Flowers stated that he will not be present in September and October. Commissioner

Jones stated that he will not be present in September either. Commissioner Huebner stated she is not sure if she will be present in September.

Chairman Flowers reminded the members that if there is something that a member wants to research on a topic that they submit the topic to Director Gottgetreu so that all of the members are working from the same information.

Commissioner Frederick reminded everyone about the Strawberry Festival on Sunday.

VI. ADJOURNMENT

The meeting was adjourned at 8:43 p.m.

Respectfully submitted,

/s/ Kate Schlee,
Planning and Permit Assistant