

REGULAR MEETING OF THE PLANNING COMMISSION  
CITY OF AMITY, OR

Minutes

A Regular Meeting of the City of Amity Planning Commission was held at 6:30 p.m. on Monday, July 24, 2023, at the Amity Fire Department, 700 S Trade St., Amity, Oregon, and by Zoom phone and video conferencing platform.

Members Present:

Lou Savage, Sean Fitzgerald, Steve Ruyle, Dan Keliheleua, and Ryan Jones (Chairman)

Members Absent:

None

Staff Present:

Mona Hatch (City Clerk), Natasha Johnson (City Recorder), Nathan Frarck (City Administrator) and Holly Byram (City Planner MWVCOG), Abby McFetridge (Keller Associates) and Peter Olsen PE (Keller Associates)

Guests Present:

Mercedes Serra, (3J), Chase Welborn (3J), Lillian Engel (resident), Andrew Werth (IBI Group/Arcadis), Matthew Rolston (Arcadis), and Jeff Clark (Amity School Superintendent)

Call to Order:

Chair Jones called the meeting to order at 6:41 PM.

Approval of Minutes from February 13, 2023

Chair Jones asked if the Commission wanted to entertain a motion to approve the minutes from the February 13, 2023 Planning Commission meeting. Commissioner Savage moved to approve the minutes; Commissioner Fitzgerald seconded. Motion passed 5-0-0.

Comments from Citizens

Chair Jones asked for comments from citizens not on the agenda. Citizen Lilian Engle asked commission regarding if pot shop is still planning on opening. City staff let her know they are still planning on opening in August. There were no further comments.

Old Business

There was none.

New Business:

- A. Public Hearing for file No. 2304-01SDR & 2304-02CUP "Amity High School / Middle School Project" at Amity High School, 503 Oak Street in Amity, Tax Lot

Chair Jones opened the public hearing for file #2304-01 SDR & 2304-02CUP. He read the script and went over all the legal matters.

"Chair Jones asked the Commission if anyone wished to declare a potential or actual conflict of interest or bias? Chair Jones declared possible conflict of interest as he is on the school board. He declared he can make a non-bias decision. City Planner Byram asked if he personally could financially benefit from the decision. He declared he would not. He stated that he has also visited the site.

"Chair Jones asked if any member of the audience wish to challenge the jurisdiction of the Planning Commission to hear this matter?" There were none.

"Chair Jones asked if any member of the audience wish to challenge the impartiality or disclosures of any member of the Planning Commission?" There were none.

Chair Jones asked for presentation of staff report. Planner Holly Byram went over the staff report which contained findings for the applicable criteria in the Amity Development Code, including the R1 zone, Site Design Review, and Conditional Use Permit sections, along with recommended conditions of approval. Byram stated that the applicant had participated in several pre-application meetings and discussions with staff. The current plan set resulted from several rounds of revisions requested by staff and the fire district. The proposed public improvements balance the City's requirements, TIA recommendations, and proportionality with proposed development, under the City Engineer's authority to approve modified designs. The Oak Street right-of-way dedication shown in the plan set is larger than the required 33 feet from centerline. Once that is corrected, the existing modular offices will likely not be in the right-of-way; likely no encroachment easement will be necessary.

"Chair Jones asked the commission members if there are any brief clarifying questions of staff before we move on?" There were questions.

Commissioner Ruyle asked for clarification regarding no sidewalk along North Sherman St. He asked if there was something in our code regarding sidewalks near schools. She explained the code language regarding this. She explained most of the pedestrian improvements were focused on Oak Street intersections. There is an existing sidewalk on Sherman between Oak and Jellison, but none is proposed between Jellison and Goucher. She explained the site plan shows connecting the sidewalk to Sherman Avenue at the end of the sidewalk.

Commissioner Savage asked for clarification regarding the new structures. She explained further regarding the structures. There were no further questions.

Chair Jones asked for presentation of applicant.

The applicant's representative Mercedes Serra with 3J Consulting gave testimony. She presented a power point to the Commission which showed the site plan and color renderings of the building elevations. Applicant answered questions brought up in staff report. The applicant confirmed that the TIA did not document any pedestrian trips along the unimproved section of Sherman. She stated that the district would like more flexibility regarding recommended condition of approval #14 requirement to partner with City on a Safe Routes to School Grant Application for crosswalk at Oak and Nursery. The reason being that the grant priority may change once development is completed.

Commissioner Savage asked regarding the thin strip on the plans. The applicant explained it's the existing hallway inside the building and that it will be improved. There were no further questions.

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Chair Jones asked for public testimony from proponents, opponents, neutral parties, and governmental entities. There were none.

Chair Jones asked for testimony from proponents. There were none.

Chair Jones asked for testimony from any opponents. There were none.

Chair Jones asked for testimony from neutral parties. There were none.

Chair Jones asked if there was any more testimony from proponents, opponents, neutral parties including government bodies. There were none.

Chair Jones asked if there is a request for Continuance. There was none.

Chair Jones asked if any Questions of Staff? Planner Byram noted the fire apparatus access point on the plans, which is on the north side of the new middle school wing, connecting from 3<sup>rd</sup> Street.

Chair Jones asked, "if the staff have any further comments or clarification regarding this application?" There were none.

Chair Jones asked, "if any member of the Commission have any questions for the staff?" There were none.

Chair Jones closed the public hearing.

Chair Jones open discussion for deliberations by the Commission. He asked if any Commissioner had any additional clarifying questions from staff.

Commissioner Fitzgerald asked for explanation regarding the safe route application regarding the Nursery improvements and what happens if the city doesn't get the safe route to school grant application. City Staff explained have been unsuccessful with previous grant applications. Superintendent Jeff Clark explained wanting to see what the most needed areas will be now that the pedestrian traffic pattern is changing. The priority may change.

Commissioner Savage asked if there is certain language that can be put in condition to require the school district to complete the Nursery Street crosswalk in a timely manner. Engineer Olsen explained and agreed should be some requirement. The grant is highly unsuccessful because it is competitive. Engineer McFetridge explained the safe route grants and could lose the opportunity to get the other grant.

Commissioner Ruyle asked for more clarification regarding being on ODOT ROW and if could put a time limit on this. Engineer Olsen recommends if after two safe routes to school grants not successful, then require school to put in improvements. Planner Byram pointed out ODOT comments in the staff report; the crosswalk at Nursery Street will require ODOT permits.

Commissioner Fitzgerald concern is the district's funding for this project may not be available after two years. Commissioner Jones explained that it is all public money; whether the work is performed by the district, City, or ODOT. Superintendent Clark is concerned that the crosswalk striping in ODOT jurisdiction will trigger additional expensive ADA ramp requirements. Engineer Olsen explained that the Nursery Street crosswalk recommendation comes from the third-party TIA procured by the applicant.

Applicant's Architect Andrew Werth asked if there any improvement plans for OR Hwy 153/ Nursery Street in the future. Engineer Olsen explained he doesn't know the answer. Superintendent Clark stated that the flashing light and crosswalk at Trade Street/ 99W was a joint grant in cooperation between the City and school district.

The Commission discussed further regarding the crosswalk improvements time limit.

Commissioner Fitzgerald made motion to APPROVE the concurrent Site Design Review and Conditional Use Permit land use applications, files #2304-01SDR and #2304-02CUP, and adopt the findings and recommended conditions of approval included in the staff report to the Planning Commission, with revisions desired by the Planning Commission. Revision being that the crosswalk improvements on Nursery Street shall be completed by the applicant according to TIA for the project within two years of project completion. Planner Byram asked for clarification on the motion, if "completion" of project means the Final Certificate of Occupancy. Commissioner Fitzgerald confirmed yes; project completion meant Final Occupancy. Commissioner Savage seconded the motion, and with no discussion the motion passed unanimously 5-0-0.

Adjournment: Commissioner Fitzgerald made a motion to adjourn the meeting and Commissioner Savage seconded, and with no further discussion the motion passed 5-0-0.

Chair Jones adjourned the Planning Commission meeting at **7:54p.m.**

Respectfully submitted,

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Mona Hatch, City Clerk

Attested

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Ryan Jones, Chair