

Agenda
Shady Cove Planning Commission Meeting
Thursday, March 24, 2022
6:00 PM

<https://us02web.zoom.us/j/82935783717?pwd=VGI0VkF0RE9kS05QQTVEcDIsbUN1UT09>

Meeting ID: 829 3578 3717

Passcode: 618796

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I. Call to Order

A. Roll call.

B. Announcements by Presiding Officer.

1. This meeting is being digitally recorded.
2. The next regularly scheduled meeting of the Planning Commission will be held on April 14, 2022, at 6:00 PM both in Council Chambers and via Zoom.
3. The meeting date is subject to change.

II. Consent Calendar

A. Planning Commission Meeting Minutes of September 30, 2021

B. Planning Commission Meeting Minutes of January 13, 2022

C. Planning Commission Meeting Minutes of January 27, 2022

III. New Business

None

IV. Subject of Workshop

A. Streets

B. Cargo Containers

V. Department Reports

A. Planning Technician Report

VI. Public Comment

VII. Commissioner Comments

VIII. Adjournment

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

City of Shady Cove
Planning Commission Public Hearing Meeting Minutes
Thursday, December 9, 2021

Meeting was held with the Planning Commission and public present at City Hall and public also attending Via Zoom

I. CALL TO ORDER

Chair Hohenstein called the Regular Planning Commission Meeting to order at 6:02 PM

Commissioners Present: Chair Hohenstein, Commissioner Magill (Zoom), Commissioner Ball, Commissioner Taylor (Zoom), Commissioner Willis

Staff Present: Debby Jermain, Planning Technician; Ryan Nolan (Zoom), City Planner; Thomas J. Corrigan (Zoom) City Administrator

II. ANNOUNCEMENTS

The Chair made the announcements on the agenda.

III. CONSENT CALENDAR

None

IV. PUBLIC HEARING

A) Public Hearing to Consider a Major Land Partition at 19803 Hwy 62

Opened Public Hearing 6:05 PM

A Public Hearing to accept public testimony and consider approval to allow a major land partition located at 19803 Hwy 62, Shady Cove, Oregon. Assessor's Map No. 34-1W-28, Tax Lot 910. Partition one lot, 8.18 acres into three parcels: Parcel 1: 3.82 acres; Parcel 2: 1.68 acres; Parcel 3: 2.68 acres. Zoning is R-1-40 (Single Family Residential, 40,000 square foot minimum. Applicant: Z. Idelle Collins. File Number: MJP 21-01.

No objections to the jurisdiction of the Commission to hear this matter, conflict of interest, or Ex Parte contact.

Commissioner Ball attempted to visit property. He was unable to access. Commissioner Magill visited site for a considerable amount of time relating maps to the space which resulted in a good understanding of the property. Chair also visited the site and had dialogue with Collins.

Planner Nolan commented that the case was presented because the division of land was not occurring on an existing public street. Although they built the private street and it was engineered, the application would create a new easement extending that private street which would have frontage then for the three new lots created. The Collins family had other partitions, sewer projects, and easements approved prior to adopting the new

rule requiring all private streets to be paved. All other criteria met was met. He said the Planning Commission had authority to review and decide if the street design was appropriate. The City Planner suggests approval with four conditions.

Commissioner Taylor requested clarification regarding when we adopted the paved private street requirement. Planner informed him this was adopted in 2020, therefore, the previous items were approved prior to the updated guidelines.

Applicants Testimony/Proponents Testimony

Mrs. Collins: When applicant began this project, she had no idea of the time or cost. She wanted only a max of six parcels. Mrs. Collins clarified intention for one residence per lot. Individual parcels would need water set up. All have sewer, but wells were not sufficient at the time of the hearing.

Mr. Kaiser, the surveyor: The surveyor clarified gravel portion of Collins Way would only access the six parcels.

No opponents.

Staff's recommendation was that if the Planning Commission felt that the applicant's road design was appropriate, they could approve this partition. And Staff suggested four conditions in the staff report.

Close Public Hearing 6:39pm

Motion that the Planning Commission approve File MJP 21-01 to allow a request to partition one lot 8.18 acres into three parcels: Parcel 1: 3.82 acres; Parcel 2: 1.68 acres; and Parcel 3: 2.68 acres. This request was submitted by the property owner located at 19803 Hwy 62, more correctly identified as Map No. 34-1W-28, Tax Lot 910. The request also includes a street design that is alternate to the approved design standards of the City. Motion incorporates the findings of fact and the conditions of approval recommended by staff in its report dated November 30, 2021.

**Motion: Commissioner Ball Second: Commissioner Magill
Motion Carried 5-0**

V. NEW BUSINESS

None

VI. SUBJECT OF WORKSHOP

Discussion item moved forward to review/familiarize with City of Shady Cove Planning Principles, and Guiding Documents: Comprehensive Plan, Municipal Code, Local Street Network Plan, Riparian Ordinance and Similar Documents.

VII. DEPARTMENT REPORTS

None

VIII. PUBLIC COMMENT

None

IX. COMMISSIONER COMMENTS

Commissioner Magill requested item for next agenda, to discuss visits and recommendations for improvements to the street list.

City Administrator concurred with Commissioner Magill that inventory was something Council requested and imperative for the planning commission to look at.

X. ADJOURNMENT

There being no further business before the Commission, the Chair adjourned the regular Meeting at 7:05 PM.

Approved:

Attest:

Hank Hohenstein
Chair

Debby Jermain
Planning Technician

Commission Vote:

Chair Hohenstein _____
Commissioner Magill _____
Commissioner Ball _____
Commissioner Willis _____

City of Shady Cove
Planning Commission Workshop Meeting Minutes

Thursday, January 13, 2022

Meeting was held with the Planning Commission present at City Hall and public attending Via Zoom

I. CALL TO ORDER

Chair Hohenstein called the Workshop Planning Commission Meeting to order at 6:00 PM

Commissioners Present: Chair Hohenstein, Commissioner Magill, Commissioner Ball, Commissioner Taylor, Commissioner Willis

Staff Present: Debby Jermain, Planning Technician

II. ANNOUNCEMENTS

The Presiding Officer made the announcements on the agenda.

III. PUBLIC COMMENT

None

IV. SUBJECT OF WORKSHOP

A. Discussion Item: Evaluation of several streets within Shady Cove.

- a. Chair began by setting expectations to provide a summary reflecting what was said as a body for commissioners to review.
- b. Commissioner Ball requested clarification on the difference between maintenance and changes requiring grants from the state. Chair explained maintenance meant maintaining the street. Example: fixing cracks, repaving, etc.
- c. Commissioner Taylor expressed concern regarding changes to existing streets beyond regular maintenance, such as widening and extending.
- d. General consensus was to protect the integrity of Shady Cove and respect the wishes of its citizens by reasonably avoiding such street modifications. However, updated codes and guidelines should be followed for new roads.
- e. Chair stressed the importance of effective communication with the public. Meetings involving the community ceased due to the pandemic. He recommended that town halls be reintroduced, as residents of Shady Cove value and wish to protect its rural atmosphere.
- f. Commissioner Taylor suggested pavement to be considered for city owned streets as opposed to compressed gravel.
- g. The following streets were deemed acceptable: Skyline Drive, Heather Lane, Sarma Drive, Train Lane, Kathleen Terrace, and Shirley Lane.
- h. The following streets were in need of maintenance: Schoolhouse Lane, Williams Lane, Brophy Way, Park Drive, Rene Drive, Alicki Lane, Braughton Way, Castaline Place, Flower, and Mallory Lane. The last two being the most deplorable.
- i. Maintenance required was mostly related to pot holes and sight issues.
- j. Commissioner Ball encouraged efforts to upgrade south side of the bridge entrance/exit

V. DEPARTMENT REPORTS

A. Planning Technician report.

Three new homes, Encroachment permits, Development Review, Minor Partition, Site Design Review, Major Partition, three Floodplain permits

VI. COMMISSIONER COMMENTS

- A. Commissioner Taylor commented that the street review was a challenge which required extensive time and planning to efficiently complete the assignment. He suggested that major changes such as extensions and road widenings be resident driven.
- B. All Commissioners agreed with Commissioner Taylor's points. General consensus was to remain sensitive to the wishes of Shady Cove's residents and avoid making significant changes to existing streets.
- C. Commissioner Magill was shocked by the state of several streets, particularly Flower and Mallory.
- D. Commissioner Taylor agreed with Chair that town halls should be reintroduced with the goal of receiving input from and reconnecting with the community.

VII. ADJOURNMENT

There being no further business before the Commission, the Chair adjourned the regular Meeting at 7:17 PM.

Approved:

Attest:

Hank Hohenstein
Chair

Debby Jermain
Planning Technician

Commission Vote:

Chair Hohenstein _____
Commissioner Magill _____
Commissioner Ball _____
Commissioner Willis _____

City of Shady Cove
Planning Commission Public Hearing Meeting Minutes
Thursday, January 27, 2022

Meeting was held with the Planning Commission and public present at City Hall and public also attending Via Zoom

I. CALL TO ORDER

Chair Hohenstein called the Public Hearing Planning Commission Meeting to order at 6:01 PM

Commissioners Present: Chair Hohenstein, Commissioner Magill, Commissioner Ball, Commissioner Willis. Commissioner Taylor absent.

Staff Present: Debby Jermain, Planning Technician, Ryan Nolan, City Planner, Thomas J. Corrigan, City Administrator via Zoom

II. ANNOUNCEMENTS

The Chair made the announcements on the agenda.

III. PUBLIC HEARING

A) Public Hearing to Consider a Site Design Review located at 21907 Hwy 62

Opened Public Hearing 6:01pm

A Public Hearing to accept public testimony and consider approval of a Site Design Review Application to allow a retail smoke shop. The property is located at 21907 Hwy 62, Shady Cove, Oregon. Assessor's Map and Tax Lot: 34-1W-15BC, 1801. Zoning is General Commercial, GC. Owner: Eryk Hanson Applicant: Mukesh Sharma
File number: SD 21-03.

Opening Statement read by Commissioner Ball.

No objections to the jurisdiction of the Commission to hear this matter or conflict of interest.

Commissioner Willis disclosed communication with the owner eight months prior to hearing. She confirmed her ability to maintain impartiality.

All Commissioners visited the site. The Chair noted tight parking, otherwise all were satisfied.

Staff Comments:

Planner Nolan summarized the application for site design review to authorize a change of use at an existing developed commercial site from a bar to a retail smoke shop. Staff reviewed the application and determined the proposed retail store complied with the proper criteria and standards. They recommended approving the application with

several conditions regarding acquiring the proper licensing and permits, landscaping, storefront updates, and parking spaces.

Commissioner Questions:

Chair Hohenstein inquired about the applicant's opening date and timeframe for the expected storefront fixes. Planner Nolan said the applicant wished to open as soon as possible and complete the modifications to the storefront after. Staff included a condition to their recommended approval, to require updates to the storefront be finished within 4 months of opening.

Chair Hohenstein reiterated concern for tight parking and suggested verbally encouraging their staff to park on the side of the building. He requested directional arrows in addition to the regular parking lines as well.

Commissioner Magill inquired about the exclusivity of the product. Commissioner Willis said Stop N Go offered similar products.

Commissioner Ball suggested requiring storefront improvements prior to opening. His primary concern was to ensure that Shady Cove had successful, long-term businesses. He stressed that to be successful, new businesses should have ample capital and have the ability to make required changes upfront. Planner Nolan confirmed Commissioner Ball's request to move list B items to list A.

Commissioner Willis and Commissioner Magill commented on their disappointed in the applicant's absence. Both commissioners requested to postpone decision until the applicant could be present to answer additional questions.

Applicants Testimony/Proponents Testimony

Applicant was not present. No contact with applicant. No opponents.

Staff's recommendation/last comments

Based on the criteria and findings, Staff recommended the Planning Commission approve the application with several conditions.

Closed Public Hearing 6:25pm

Motion that the Planning Commission continue discussion of File SD 21-03 at the Planning Commission meeting in City Hall, February 10, 2022 at 6pm.

Motion: Commissioner Magill

Second: Commissioner Willis

Motion Carried 4-0

B) Public Hearing to consider a 17-lot subdivision modification on three parcels totaling 5.71 acres.

Opened Public Hearing 6:28pm

A Public Hearing to accept public testimony and consider approval to modify a recently approved subdivision creating a two phase 17-lot subdivision on three parcels totaling 5.71 acres located on Cleveland Street right-of-way. The tentative subdivision proposes extensions of Cleveland Street and Chevney Way as well as a new private street off of Chevney Way. Said parcels are legally described as 34-1W-09DA Tax Lot 1200 & 34-1W-10CB Tax Lots 2900 & 2901. Zoning is R-1-10, Low Density Residential. Owners: Mike, Bonnie, Casey, and Mary Malepsy. Applicant: Mike Malepsy
File Number: SUB 21-01

Opening Statement read by Commissioner Magill.

No objections to the jurisdiction of the Commission to hear this matter, conflict of interest, or ex parte contact.

All Commissioners visited the site. No comments regarding visits.

Staff Comments:

Planner Nolan summarized the request for the subdivision which was recently approved with a waiver for planter strips on the street slightly different than city standards and code. The applicant was unclear about additional items included in the approval requiring there to be parking on both sides of the streets. He asked for clarification and modification to the street pavement width requirement, allowing parking to only be on one side of Cleveland and Chevney. The Fire Chief confirmed with Planner Nolan that the request was acceptable. Staff recommended approval with modification to the previously stated conditions.

Commissioner Questions:

Commissioner Ball inquired about the development's effect on average daily trips. Planner Nolan said the project would not be sizable enough to trigger a traffic impact analysis. Commissioner Ball also expressed concern over Cleveland changing from thirty-four to twenty-two feet and suggested a review of requirements for the previous developer, noting that it would be important to remain consistent. He also suggested the wording that sidewalks and driveways "may" be installed was unclear and should be changed to "will". Planner Nolan explained the intent was not to require sidewalks to be installed at the time of subdivision, but at the time of individual lot development. Commissioner Ball found sidewalks entirely unnecessary and thought additional road width would be more valuable. Chair Hohenstein agreed and recommended rolled curbs instead, to help with the flow of water.

Chair Hohenstein asked applicant about their building approach to which the applicant explained their preference was to build spec homes first vs presold lots, but noted they would not be opposed to such sales.

Chair Hohenstein acknowledged that the Staff, Fire Chief, and engineer were all on board and agreed the project was ok per standards. However, he suggested two additional feet of pavement considering the width of the fire engines in case of an emergency.

Applicants Testimony/Proponents Testimony

Applicant Mike Malepsy addressed the parking concern, stating they demonstrated there was ample off-street parking. Multiple parties had no trouble finding sufficient parking for approximately sixteen vehicles. He believed sidewalks and parking on both sides of the street to be unnecessary as well, that the current design was consistent with the area, and agreed with Staff's recommendation. Applicant also preferred not to put sidewalks in at the same time as the streets specifically to avoid damaging new sidewalks during lot/home construction.

Citizen Comments

Steven Stratton, 1018 Chevney Way, Shady Cove

Resident's primary concerns were for the increased traffic, noise, and quality of the street overall. He also requested that if speed was specified, it be fifteen mph instead of Shady Cove's regular twenty-five mph. Planner Nolan addressed concern for traffic, explaining the total expected average daily trips would remain within the estimated fifteen hundred threshold the street was designed to handle. Resident Stratton also expressed interest from existing residents in collaborating with the builder to switch all homes in the area to gas.

Gary Hughes, 1030 Chevney Way, Shady Cove

Resident's primary concerns were reducing the width of the street, substandard street conditions, and water/fire hydrants. Applicant responded to residents' concerns, assuring him that those living on the extension would find the road much more convenient. He informed them of the intention to install fire hydrants according to standards from Hiland Water. They also informed the resident of their plans to build a new pressure station to allow ample fire protection for the street. Commissioner Willis inquired as to how many fire hydrants were expected. Applicant said two eight-inch hydrants and that as the developer, he would be responsible for the cost.

Closed Public Hearing 7:41pm

First motion to approve without conditions failed.

Motion that the Planning Commission approve modifications to File SUB 21-01 to permit development of a two phase 17-lot subdivision on three parcels totaling 5.71 acres located on Cleveland Street right-of-way. The subdivision includes extensions of Cleveland Street and Chevney Way as well as a new private street all of which will meet City Street standards. My motion incorporates the findings of fact and the conditions of approval recommended by Staff in its report dated January 11, 2022, together with the

following modifications to the conditions: Additional two feet of pavement on Cleveland, increasing width from 25 feet to 27 feet.

Motion: Commissioner Magill Second: Commissioner Willis

Motion Carried 3-1

Commissioner Ball voted Nay

IV. NEW BUSINESS

A. Discussion Item-Conditional Use Permit Follow-up

- a. Owner of Southern Oregon Wilderness Adventures bought the lot next door. He had been storing four vehicles on this commercial lot without a permit, which would usually require a parking lot, fence, and/or signage out front. He would like to continue using the lot for storage without a permit for a period of time. Commissioner Hohenstein requested he be invited to discuss a timeframe at the next meeting scheduled for February 10th. Item was added to the agenda.
- b. As requested by an audience member, Gary Hughes, agenda item was added to the meeting scheduled for February 24th to discuss standards for pods/storage containers on private property.

V. OLD BUSINESS

A. Discussion Item-Street Evaluation

- a. Commissioner Magill asked for an explanation as to why Williams was prioritized over the conditions of Schoolhouse, Mallory, and Flower. Chair Hohenstein described his decision-making methodology and no reorder was requested.
- b. Maintenance was made first priority before expanding and changing the dynamic of the street pattern. However, it was understood that little funds were available and may not be sufficient to fully maintain existing streets. Grants expected to be applied for to make improvements.

VI. COMMISSIONER COMMENTS

None

VII. ADJOURNMENT

There being no further business before the Commission, the Chair adjourned the regular Meeting at 8:02 PM.

Approved:

Attest:

Hank Hohenstein
Chair

Debby Jermain
Planning Technician

Commission Vote:

Chair Hohenstein _____
Commissioner Magill _____
Commissioner Ball _____
Commissioner Willis _____

03/07/22 Through 03/21/22 Planning and Building Activities

YEAR Permit No.	BUILDING PERMITS				TAX LOT
	DATE	NAME	TYPE	ADDRESS	
22-06	3/8/22	Kirk Mickelsen	New Home	234 Williams Lane	4500
22-07	3/8/22	Kirk Mickelsen	New Home	242 Williams Lane	4501
22-08	3/16/22	Steven Stratton	Replace & Expand Deck	1018 Chevney Way	4100
22-09	3/16/22	Michael DeMille	Encroachment Permit	130 Birch St	3020
NA	3/14/22	Don Morrow	FENCE	645 Kinworthy	10CB
					4600

PLANNING APPLICATIONS

Paid	Property Action Log	Name	Address	Notices Mailed	Comments due back	Staff report due back	Section/TL

FLOODPLAIN CLEARANCE FOR PERMIT