

**COLUMBIA CITY PLANNING COMMISSION
PUBLIC HEARINGS & REGULAR SESSION
CITY HALL – 1840 SECOND STREET
FEBRUARY 8, 2011, 7:00 P.M.**

PLANNING

COMMISSIONERS:

Deborah Jacob, Chair
Glen Pritchard, Vice-Chair
Kelly Niles
John Sachs
Lisa Bush
Nell Harrison
Kenneth Wieland

*Denotes Commissioner absent

STAFF:

Lisa Smith, Planner
Helen Johnson, Planning Administrative Assistant

OTHERS:

Mark & Barbara Gordon, Columbia City OR
Sheila Bauer, Columbia City OR
Glenn & Kathy Keudell, Columbia City OR
David Hamblin, Columbia City OR
Jean McBride, Columbia City OR
Dell McBride, Columbia City OR
Tommy Coleman, Columbia City OR
R. Byrd, Portland OR
Mark Melchert, Vancouver WA
Terry Booke, Portland OR
(Above list reflects those who signed in)

MEETING TO ORDER:

Deborah called the meeting to order at 7:04 p.m.

WELCOME TO NEW PLANNING COMMISSIONERS:

Lisa Bush and Nell Harrison gave their history and were welcomed as the newest Planning Commission members.

APPROVAL OF MINUTES:

IT WAS MOVED (KEN) AND SECONDED (KELLY) TO APPROVE THE MINUTES OF THE SEPTEMBER 14, 2010 MEETING, AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

CITIZEN INPUT AND REQUESTS:

Dave Hamblin introduced himself, asking if this meeting started with the pledge of allegiance. The Planning Commission Chair led the pledge of allegiance.

PUBLIC HEARING:

REGULAR SESSION CLOSED AND PUBLIC HEARING OPENED.

Deborah explained the process of the Public Hearing.

Bias or Conflicts of Interest

Deborah asked if there were any conflicts of interest or bias related to the hearing. All commissioners declared "No".

Staff Report

Lisa read the pre-hearing statement, which covered all the legal information that must be read into the record by state law. Lisa asked if anyone in the audience had any objection to any of the Planning Commissioners hearing this matter. No objections were heard from the audience.

Lisa stated the application is for annexation to the City of Columbia City and also the property would be re-zoned to City zoning codes. The applicant is the owner of the property, Mark Melchert, who is being represented by Terry Booke. The property is an 8.34-acre vacant parcel in the area of Chimes Crest. The Planning Commission's action on the application is limited to a recommendation to the City Council. The City Council is required to approve the ordinance to make the annexation happen. Lisa explained this hearing had been scheduled for January, but due to weather was rescheduled to February and she clarified that we re-noticed for the public hearing. Lisa stated that the City Council is the one who would determine if there would be a local election regarding the annexation, but it isn't required.

One of the criteria for the annexation is that there be sufficient water and sewer system capacity to serve all net buildable lands inside the City at maximum density plus sufficient additional capacity to adequately serve the proposed annexation area at its maximum allowed density. The City Engineer has indicated the City's infrastructure does generally have the capabilities to serve the proposed development. Lisa stated the applicant presented a conceptual plan that includes 25 lots; although the Planning Commission is not approving a subdivision as a part of this application.

Lisa stated there is an existing 8" water line that extends along the frontage road the entire North/South length of the Chimes Crest area and the City plans for sewer for the Chimes Crest area to connect to an existing 6" sewer at the south end of Sixth Street. Lisa explained that the existing water and sewer locations become a part of the record in order to satisfy the City's requirements to understand current improvements before a property can be annexed.

Lisa commented that the City's Parks Master Plan doesn't outline any future uses of the annexed property.

Lisa stated that staff recommends the annexation based on the findings in the staff report and applicants submittal.

Lisa explained that an issue has been raised in the public comment process and she read two letters into the record. The first letter was submitted by Jean McBride requesting the Planning Commission come to her residence to see her concerns. Because of that, Lisa asked the Planning Commissioners if any of them had visited the site. None of them had. Lisa also stated to the author of the letter that this step of the process is only moving lines on a map; this application doesn't permit any movement of dirt on the property. The second letter comes from Mr. Bill Amos addressing some planning concerns with creation of islands. Lisa explained that we had received letters from the two property owners who are the subject of this particular letter and both have stated they do not desire to be annexed into the City at this time.

Lisa explained to the Planning Commission, the City's Comprehensive Plan talks about urbanization and there is a policy in that document stating that the City does not generally force property owners to be annexed. It would be appropriate for the Planning Commission to suggest to the City Council to look further into this particular issue, but this body would not be able to make that decision.

Deborah asked who Bill Amos was. It was stated that he resides close to the annexed property. Staff showed Commissioners where each of the property owners who sent letters lived in relation to the annexation property.

Barbara Gordon from the audience asked for clarification as to when the City submitted its comments about not having any issues with the annexation. Lisa stated the land use referral from the City was dated December 30, 2010.

Applicant's Presentation

Terry Booke introduced himself as the representative of Mark Melchert, who is also here this evening. Terry explained that at this time nothing is going to change with the property and they have no plan for a subdivision

at this time. Possibly 5 to 10 years down the road they may consider it. Terry stated the goal is to bring the property into the City limits. He explained that they may sell the lots, but it is unknown for sure. Terry commented that as it stands, there are two large lots and two houses could currently be built.

Deborah asked if there is a plan to build one house on each legal lot of record. Terry explained that would not be something they would object to.

Shelia Bauer, from the audience, asked what the benefit would be to annex at this time. Terry explained that maybe 5 years down the road when the market improves additional lots could be made. He stated they would have to go through the planning process again at that time. Mark Gordon, from the audience asked, what if it was one year away. Terry stated again the market is just not conducive to development at this time. Mark Gordon further stated that if the economy did turn around, this would be the foot in the door to be able to sell and get more houses built up there. Terry commented that annexing now could add a little bit to the property value. He also stated that the property taxes would be similar to what they are currently, mostly because the property is vacant. Terry stated again the maximum that could be built currently is two houses.

Mark Gordon asked if there was a conceptual plan of development. Terry stated the plan that was submitted was from 2005. Lisa explained that the City requires it as a part of the annexation process. Mark Gordon then asked where the main access is proposed in the conceptual plan; Eighth Street is where the plan shows access. Lisa explained to the residents that again the conceptual is part of the annexation process, and there was not a full engineering review done, but she wanted to assure residents that the presented plan will not work. First lots are not sized appropriate to City requirements, topography is an issue and the access is a concern. She stated that the property owner and/or developers are well aware that drainage, access and topography are significant issues that will need to be address extensively with a formal engineered subdivision plan.

Jean McBride expressed concern that in the past she was told her driveway would be used as an emergency exit when any development was done above her. She has great concerns that her driveway was not designed for that and would not hold up.

Terry clarified that the development of the property is not what is being addressed at this step in the process. Lisa stated that at this step of the annexation process the main concerns are capacity. If the development was built to maximum capacity what would the impacts to the City's services be, could they handle it.

Input in Favor

Kathy Keudell asked what the benefit to Columbia City would be to annex the property. Deborah stated that property taxes would increase, increasing the City's revenue. Terry stated the tax assessor's office said the taxes that are currently paid to the County would be about the same as what would be paid to the City.

Input in Opposition

Barbara Gordon, from 1630 Eighth Street, introduced herself and stated most of her concerns will be addressed at the development of a subdivision. She asked about the date on the City's land use referral and was concerned because she knew that the City recently experienced a big problem with the sewer and the addition of even one more home is concerning to her. Barbara thought that possibly the referral and the sewer problem were just a few days a part and the City may want to rethink their comments.

Lisa stated that if the problem with the sewer is not a capacity issue, then it is not an issue to address here. She clarified that the issues with Riverclub Estates are not capacity issues and the annexation of this property would not add to that problem. Barbara stated it would add additional maintenance, Lisa stated that yes if you add more pipes then you have more maintenance. Deborah clarified that we would not allow development if our engineer thought our system could not handle it.

Mark Gordon, on Eighth Street, asked if this step of the process included a consideration of public area in the development. Lisa stated the applicant has not proposed any and there is nothing in the City's Parks Master plan that includes any part of this property. Lisa explained that it is not a part of the approval for annexation to consider any Public Land designations unless it was a part of the City's Parks Master Plan.

Lisa explained that the annexation process is unique from most other land use processes in the fact that it doesn't allow for a list of conditions, either you are in or you are not.

Jean McBride stated that she is very much opposed to having her property annexed. She asked about the conceptual drawing and a part of the map referencing an existing driveway off lot #15, she believes it is owned by ODOT and is currently used as a turn around. Lisa and Deborah discussed that if there were any kind of easements, they would not change as a part of being brought into the City. Lisa said she felt Jean was concerned about that turn around area being maintained and no changes being made to it.

Kathy Kuedell from Seventh Street in Columbia City recommended that the Commissioners really listen to what Bill Amos's letter is stating. Kathy explained he is a former developer and builder and has a lot of knowledge and is a great resource. Lisa explained from a planning perspective Bill Amos is accurate in his comments. However, City's have Comprehensive Plans in which they state policies and one of the most favorite of smaller cities is not to make anyone annex that doesn't want to unless we have a very good reason. In light of receiving Mr. Amos's letter the two property owners that are not included in the annexation were approached to be included in the annexation and have no desire. The Council may determine that not annexing the two properties would add confusion for emergency services and require them to be added to the annexation for that or other reasons.

Deborah stated that there may be ways to make the annexation more feasible to these two properties. What are their concerns? She continued by saying it is much better planning not to have pockets and as Lisa stated would be a consideration of the Council. The Planning Commission could include it in their recommendation.

Barbara Gordon stated she doesn't feel that someone should be forced to annex. She assumes there are monetary impacts on them and would hate to see that happen in these hard economic times to anyone.

Dell McBride asked the question about if the area gets developed, are the police going to be able to handle that much more area and sees adding costs. Deborah stated that if the City is growing then that could increase our taxes enough to hire an additional officer.

Input Neither in Favor Nor in Opposition

Sheila Bauer from 2015 Seventh Court stated she is understanding that the annexation is not the problem, the concerns are with a development. This process only brings the property into the City, the plans for development come at a different process. Deborah clarified that as it stands each property could build a house without any additional land use applications, but do build a subdivision, there are additional steps needed that would allow for public input.

Jean McBride again stated her concerns about being forced to annex and who is going to pay for all the sewer line to her property. Terry Booke commented that normally with a development the developer would stub sewer the line up to the edge of a neighboring property and she would only need to connect on her property.

Applicant Rebutal

Terry Booke commented that if the properties are annexed their current interest might be to sell to a person looking for a mini-farm or building a million dollar home. He stated they have no current interest in a subdivision and want to be good neighbors.

Deborah closed the public hearing at 8:00 p.m.

Planning Commissioner Questions, Discussion and Recommendation

John verify the allowance of one house per lot is the same for the City's guidelines and the County, the only difference would be water and sewer requirements.

The Commissioners and Staff discussed the topic of the islands. Lisa stated that Helen brought to her attention one other island property in Columbia City exists, up off of Sixth Street. The property is serviced with City water, but it was unclear about sewer.

Lisa clarified for the Commissioners that their primary issue to consider at this time is does the City have adequate capacity in its entire water system to potentially provide for maximum development of the property, the same with sewer and has the City followed the proper process for annexation. Ken asked if those have been met. Lisa stated according to the engineers there is system capacity. She also stated that there would have to be substantial improvements constructed for the development of the property.

Staff and Commissioners discussed that capacity may be there, but topography and access could be a concern for development of the property.

IT WAS MOVED (KEN) AND SECONDED (JOHN) TO ADOPT THE FINDINGS IN THE STAFF REPORT, AND RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE ANNEXATION OF THE MELCHERT PROPERTIES. MOTION CARRIED UNANIMOUSLY.

Lisa stated that the recommendation of the Planning Commission will now go to the City Council on Thursday, February 17, 2011 at 6:00 p.m. and there will be another public hearing were new information could be brought to the Councils attention.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

None.

REPORTS AND COMMUNICATIONS:

None.

ADJOURNMENT:

Meeting adjourned at 8:13 p.m.

Deborah Jacob
Planning Commission Chair

Attest by:

Helen K Johnson
Planning, Building Administrative Assistant