



**CITY OF ADAIR VILLAGE
PLANNING COMMISSION AGENDA**

City Hall: 6030 William R. Carr Avenue – Adair Village, Oregon

Monday, May 22, 2017– 6:00 PM

1. ROLL CALL and PLEDGE TO THE FLAG:

2. PRIOR MINUTES:

- a) March 20, 2017 PC Minutes (Attachment A) Pat Hare
Action: Approve

3. PUBLIC COMMENT: (Please limit comments to 3 minutes)

4. OLD BUSINESS:

- a) City Admin Report (Attachment B) Pat Hare
Action: Discussion

5. NEW BUSINESS:

- a) Tim Cornelius UGB and Annexation Don Driscoll
Action: Public Hearing Attachment C (Attach. D Already Handed Out)

6. ADJOURNMENT: Next meeting – Monday, June 19, 2017 @ 6:00 PM

The Community Center is accessible to person with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 72 hours before the meeting by calling City Offices at 541-745-5507 or e-mail "kedmaiston@adairvillage.org ", or Oregon Relay Services by dialing 7-1-1. The City of Adair Village is an Equal Opportunity Employer. The order in which items on the Agenda are addressed by Planning Commission may vary from the order shown on the Agenda.

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PLANNING COMMISSION MINUTES-Draft

6030 William R. Carr Avenue

****Monday, March 20, 2017 – 6:00 PM****

Agenda Item	Action
<p>1. Roll Call: Members present: Commissioners Ray, Officer and Robertson were present. CA (City Administrator) Pat Hare was present. City Planner Don Driscoll was present. Utility Clerk Kathy Edmaiston recorded the meeting. Chair Rowe was absent.</p>	<p>The meeting was called to order at 6:00 PM and led the flag salute.</p>
<p>2. Prior Minutes: (Agenda Item 2a).</p> <ul style="list-style-type: none"> • January 23, 2017 PC Minutes (Attachment A). 	<p>Commissioner Ray moved to approve the January 23, 2017 Minutes. Commissioner Robertson seconded. Unanimous Approval (3-0).</p>
<p>3. Public Comment: Phil Harkins, 3113 NE Willamette. Interested in updates on building around Adair, specifically asked about the Mike Moore property. Also brought up Google Earth and wetlands in Adair.</p>	
<p>4. Attachment B - City Administrator Report (Agenda Item 4a). CA Hare presented the report.</p> <p>Major Projects/Engineering</p> <ul style="list-style-type: none"> • Water Tanks – Both of the water tanks are almost complete and hospital hill is back online. • Wastewater/Leachate – The City met with DEQ last week and they have minor edits to our facility plan. Once that is signed off and have an agreement with Republic Services we can begin design of a new facility. <p>Planning/Permits</p> <ul style="list-style-type: none"> • ServPro – Tim McGinnis will not be starting until mid to late summer. • Tim Cornelius – Tim has been meeting with the State and the County to clarify the conservation easement and the wetlands. He is expecting to have his application into the Planning Commission in April or May. Benton County seems to be in favor of this type of project. • CSME (Corvallis Society of Model Engineers) – The City Council reviewed the first draft of the relocation agreement with CSME. CSME is reviewing the application and we are hoping to have that in place by May. • Property Across from City Hall – We have submitted our application to the Federal Government to receive the deed. Once with City has the deed, we can begin the process of getting the property out of parks in perpetuity. • Barracks Building – The City is looking into the possibility of taking out a loan to finish one of the buildings for a youth center/community center and for the model railroad. • SDC's – The City has some SDC funds that we could potentially use for infrastructure outside of the barracks for road, sidewalk, water and wastewater improvements. 	<p>The Commission received the report.</p>

<p>CA Hare will bring information to the next meeting regarding how much money is in each SDC fund.</p>	
<p>5. Review of UGB and Annexation Process (Agenda Item 5a). City Planner Don Driscoll presented a review of the UGB and annexation process.</p>	<p>The Commission received the information and discussed the matter.</p>
<p>6. Commissioner Comments: Commissioner Officer – None. Commissioner Ray – None. Commissioner Robertson – None.</p>	
<p>10. Adjournment: Next meeting- Monday, April 17, 2017 at 6:00 P.M.</p>	<p>Commissioner Officer adjourned the meeting at 6:45 PM.</p>

Chair's Approval

Date



CITY ADMINISTRATOR'S REPORT May 22, 2017 PC Meeting

Major Projects/Engineering

- **Water Tanks** – There were some issues we ran into with the tanks that has delayed their completion another month or so.
- **Wastewater/Leachate** – We are working on getting a one stop meeting set up to look at possible funding sources. Then we will begin negotiations with Republic Service.

Planning/Permits

- **Serve Pro** – Tim McGinnis is in the middle of selling the residential property along William R. Carr. The developer would like to have 6 zero lot line units in that space. This will come before the planning commission over the next couple of months.
- **CSME (Corvallis Society of Model Engineers)** – The City council and Budget committee approved the first round of the budget that will include a \$100,000.00 dollar loan to make one of the barracks habitable. This would include CSME and the Community Center.
- **Property Across from City Hall** – We have submitted our application to the Federal Government to receive the deed. Once the City has the deed we can begin the process of getting the property out of parks in perpetuity.
- **SDC's** – The City has some SDC funds that we could potentially use for infrastructure outside of the barracks for road, sidewalk, water and wastewater improvements. I will have our engineer at the next meeting to talk about the possibilities.
- **Weigel Property** – The City met with Brownstone homes engineers last week and we are beginning to discuss possible development opportunities. We are hoping to have an application in the next two months.



ORDER OF PROCEDURE FOR THE CONDUCT OF HEARINGS

1. **Announce the purpose of the public hearing.**

A request from Timothy Cornelius for a City of Adair Village Zoning Map Amendment to include his property in the City that requires an Urban Growth Boundary adoption, Annexation to the City and R-3 Residential Zoning.
2. **Requests any member of the Hearing Body to announce and identify any potential, conflicts of interest or any ex parte contacts.**
 - (a) Place on the record the substance of any written or oral ex parte communications concerning the decision or action.
 - (b) Make a public announcement of the content of the communication and of the parties' right to rebut the substance of the communication at the first hearing following said communication.
3. **Make the following statements at the commencement of the hearing:**
 - (a) The applicable criteria is specified in the Staff Report.
 - (b) Make a statement that testimony and evidence must be directed toward the criteria or other criteria contained in the Development Code or Comprehensive Plan which a person believes to apply to the decision.
 - (c) State that failure to raise an issue with sufficient detail to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA), based on that issue.
4. **Staff Report.**

Present a brief overview.
5. **Report from other Governmental Agencies.**

County, State, Fire Department and other agencies
6. **Testimony:**
 - (a) A person shall first stand and state his full name and address.
 - (b) The presiding officer, members of the Hearing Body, or others, with the approval of the chair may question a witness.
7. **Applicant Presentation is heard first:**
8. **Proponents Testimony in favor of the application:**
9. **Opponent's Testimony in opposition to the application:**
10. **Applicant's rebuttal to Opponent's testimony.**
11. **Close of hearing and deliberation by Hearing Body.**

The Hearing Body may make its decision at the hearing or may continue its deliberation to a subsequent meeting time and place that shall be announced.



6030 William R. Carr Av.
Adair Village, OR 97330
541-745-5507

**NOTICE OF A LAND USE MAP AMENDMENT
PLANNING COMMISSION HEARING & RECOMMENDATION
CITY COUNCIL HEARING & FINAL DECISION
APRIL 26, 2017**

NOTICE OF LAND USE ZONING

Notice is hereby given for **Public Hearings** by the Adair Village Planning Commission and City Council for a **City of Adair Village Zoning Map Amendment** to adopt property into the City that requires an Urban Growth Boundary adoption, Annexation to the City and R-3 Residential Zoning. The Planning Commission Public Hearing will occur on **May 22, 2017 at 6:00 pm**. A final Hearing will be held by the Adair Village City Council on **June 6, 2017, 6:00 pm** in the Adair Village City Hall.

Requested Action:	Approval of a Zoning Map Amendment
Owner/Applicant:	Timothy Cornelius
Property Location	East end of Hibiscus Drive
Assessor Map:	10-4-29
Tax Lot:	900 – North Portion of Parcel 3
Area:	5.12 acres
Land Use Zone:	County - EFU

REQUESTED ACTION

The Applicant owns 12.97 acres on Parcel 3 Tax Lot 900 that is zoned EFU in Benton County and is requesting approval of a **Map Amendment** to add 5.12 acres of Parcel 3 to the City of Adair Village to provide needed housing.

The Proposed Initial Action is a **Zone Map Amendment** to the **Adair Village Comprehensive Plan** and the **Adair Village Land Use Development Code**.

The Adair Village Land Use Development Code, **Code Section 2.700 (2)** specifies the applicable **Decision Criteria** for evaluation of the requested **Map Amendment**. The specific criteria will be addressed in the attached **Staff Report**.

A copy of the **Application**, all documents and evidence relied upon by the Applicant and the Staff Report containing the applicable criteria are available for inspection at the Adair Village City Hall.

Failure of an issue to be raised in the Hearing or by letter, or failure to provide sufficient detail to afford the decision makers an opportunity to respond to the issue precludes appeal to the **Land Use Board of Appeals (LUBA)** based on that issue.

An **Urban Growth Boundary, Annexation & Zone Change Amendment** request requires a **Public Hearing**. Oral or written testimony may be presented at the Hearing or written testimony may be delivered or mailed to the Adair Village City Hall located at 6030 William R. Carr Avenue, Adair Village Oregon 97330. All delivered or mailed testimony shall be received by the City no later than 4:00 pm on Friday May 19, 2017

For additional information write to the City Hall at the above address or call the City Hall at 541-745-5507 or Fax to 541-230-5219 or Email - pat.hare@adairvillage.org
PAT HARE, CITY ADMINISTRATOR

ADAIR VILLAGE ZONING MAP AMENDMENT STAFF REVIEW AND REPORT

APPLICABLE CRITERIA

1. **The Adair Village Comprehensive Plan and the Adair Village Land Use Development Code (Code) provide the applicable criteria for evaluation of the requested action.**
2. **The Adair Village Zoning Map depicts the land use districts contained in the Comprehensive Plan and the Land Use Development Code.**
3. **The following Land Use Development Code Sections apply to the proposed Zoning Map Amendment:**
 - Code Section 1.170 (4) Administration of Zone Change Map Amendments.**
 - Code Sections 2.320 & 2.330 Partition Tentative Plan and Final Plat Approval.**
 - Code Section 2.700 Amendments**
 - (1) Amendments initiated by the Applicant.**
 - (2) Decision Criteria**
 - Code Section 3.200 (3) Quasi-judicial Decisions**
 - Code Section 3.300 (3) Quasi-judicial Notification**
 - Notification to Adjacent Property Owners and Affected Public Agencies.**
 - Code Section 3.510 (2) Quasi-judicial Public Hearing Procedures**
 - Planning Commission & City Council Separate Hearings is Required.**
 - Code Section 3.600 Decision (6)**
 - Notice of Decision shall be provided to all participants in the Public Hearing.**
 - Code Section 3.700 Appeal Provisions**
 - Issues must be raised at the Public Hearing or Appeal is not permitted.**
4. **The Adair Village Land Use Development Code (Code) specifies standards for property development:**
 - Code Section 4.113 specifies development standards for the Residential Zone R-3 Zone.**
 - Code Article 5 General Development Standards.**
 - Code Article 6 Use Standards.**
 - Code Article 8 Improvement Requirements.**

STAFF SUMMARY

1. **Future Action will include a Partition of Tax Lot 900 Parcel 3 containing 12.97 acres into 2 Parcels: The Property Partition can conform with Code Sections Code Sections 2.320 & 2.330 although Review and Approval will be submitted later.**
 - Parcel 1 will contain 5.12 acres and will include an Urban Growth Boundary, Annexation & Zone Change Map Amendment to Residential R-3 or R-3-PD.**
 - Parcel 2 will contain 7.85 acres containing a Wetland Mitigation Conservation Easement. The Property Partition is in conformance with Code Sections Code Sections 2.320 & 2.330**
2. **The Zoning Map Amendment is in conformance with The Adair Village Comprehensive Plan.**
3. **The Zoning Map Amendment is in conformance with existing Land Use Zones contained in the Adair Village Land Use Development Code (Code)**
4. **The Zoning Map Amendment including the Urban Growth Boundary, Annexation & Zone Change is in conformance with the approval standards contained in Code Section 2.700.**

5. Approval of a **Subdivision Tentative Plan** is needed prior to any site development.
6. Municipal water and sanitary sewer is available. Access and capacity needs to be verified with the City.
7. Drainage is a significant concern that needs to be fully addressed.
8. There are no wetlands identified on the **Local Wetlands Inventory Map** for the 5.12 acre Property. There are no Flood Zones identified on the "FEMA Flood Insurance Rate Maps" for the specified property.
9. The proposed **Zoning Map Amendment** is an individual element of the Adair Village Comprehensive Plan and Development Code and does not represent a major policy change relative to the community as a whole.
10. Development safeguards are provided through the applied **Conditions of Approval**.
11. The Conditions of Approval will apply upon approval of the when development of the property occurs.

Planning Commission and City Council approval is contingent upon compliance with the Conditions of Approval unless there is written factual data presented in opposition at the Planning Commission and City Council Hearings that would alter the findings for approval of the request.

CONDITIONS OF APPROVAL

The following Conditions of Approval shall apply to the described property and shall be fully addressed prior to occupancy of the property.

1. The **Zoning Map Amendment** shall comply with all of the applicable standards of **The Adair Village Comprehensive Plan** and the **Adair Village Land Use Development Code (Code)**
2. The **Zoning Map Amendment** property development shall comply with **Code Section 4.113 Residential Zone R-3**. If the proposed development does not comply with all of the standards of the R-3 Zone the owner shall apply for a R-3-PD Planned Development and specify the standards being requested.
3. A **Subdivision Tentative Plan** in conformance with **Code Section 2.320** shall be submitted for Approval prior to any on-site activity.
4. The property owner shall submit a site development and construction phasing schedule.
5. Municipal water and sanitary sewer is available. Access and capacity shall be verified with the City and shall comply with **Code Article 5 General Development Standards** and **Code Article 8 Improvement Requirements**. All Installations shall conform to the **Adair Village Public Infrastructure Design Standards Manual**.
6. A Grading and Drainage Plan is required in conformance with **Code Section 5.133 and Code Section 5.126** of the Adair Village Land Development Ordinance.
7. Grading Plans shall be provided to the City for Approval prior to beginning on site work.

8. The **Zoning Map Amendment** properties drain generally from west to southeast towards Bowers Slough. The property owner of the **Zoning Map Amendment** area shall provide proper drainage and protect all runoff and drainage ways from disruption or contamination. Maintaining proper drainage shall be a continuing obligation of each property owner.
9. Existing Drainage ways shall be protected and required drainage facilities shall be provided in conformance with State and City regulations. Drainage improvements and a storm drainage system shall be provided including storm water detention facilities if required.
10. A Landscaping Plan shall be provided in conformance with **Code Section 5.134** including identification of trees to be maintained or removed.
11. Proposed development shall comply with the fire protective standards administered by the **Adair Rural Fire Protection District**.
12. The provided Traffic Impact analysis is minimal. Additional analysis shall be provided if requested by the City.

The Conditions of Approval shall apply to the proposed R-3 Residential Zone contained in the Approved Zoning Map Amendment Area and shall also apply to an approved R-3-PD that may include additional standards and Conditions of Approval.

The proposed Zoning Map Amendments may be approved by the City contingent upon compliance with the Conditions of Approval.

FINDINGS FOR APPROVAL OF THE REQUEST

1. The **Zoning Map Amendment** will comply with all of the applicable standards of **The Adair Village Comprehensive Plan** and the **Adair Village Land Use Development Code (Code)** subject to compliance with the **Conditions of Approval**.
2. The **Residential Zone R-3** or **R-3-PD** Land Use Zone will be applied to the **Zoning Map Amendment** property subject to compliance with the **Conditions of Approval**:
3. The City has mailed notifications to affected agencies and property owners within the required 100 feet from the subject property including extended notification to Homeowners on Hibiscus Drive 20 days prior to the City Public Hearings in conformance with **Section 2.080** of the **Adair Village Land Development Ordinance**.
4. The Zone Change and permitted use is similar to and compatible with existing and permitted uses within the City and complies with the urban development standards of the Adair Village Land Development Ordinance subject to compliance with the Conditions of Approval.
5. The R-3 Residential Zone is presently applied in the City.
6. The proposed Zone Change Amendment is a Minor change that is an individual aspect of the Adair Village Comprehensive Plan that does not represent a major policy change relative to the community as a whole.
7. The proposed Zone Change is intended to encourage needed developments that benefit the community.

8. Development safeguards are provided through the applied Conditions of Approval.
9. The Conditions of Approval will be applied when development of the property is proposed.
10. There is excess capacity available to serve the property from all utilities including municipal water and sewer, electrical power, gas and communications.
11. The provided Traffic Impact Analysis will be reviewed and adjusted as needed.
12. Drainage improvements, a storm drainage system and storm water detention facilities will be provided in conformance with the Conditions of Approval.
13. Municipal water and sanitary sewer is available. Access and capacity will be verified with the City as specified in **Code Sections 5 General Development Standards and Code Article 8 Improvement Requirements.**
14. Public Improvements will conform to the **Adair Village Public Infrastructure Design Standards Manual** subject to compliance with the **Conditions of Approval.**

City Council and Planning Commission Decisions are based upon the individual merits of each application and does not establish a precedent for similar future applications.

Suggested Motion to Approve

Move to approve the Adair Village Zoning Map Amendment request establishing a Residential R-3 (or R-3-PD) Zone on the described property presented in the Cornelius Application contingent upon compliance with the Conditions of Approval contained in the Staff Report.