



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, November 12, 2019

PRESENT: Hollie Holcombe, Chair
Russell Williams, Vice Chair
Jeff Dennerline
Les Bick
Steven Hook
Steve Owen
Wendy Lawton (*arrived ~ 6:40 PM*)

STAFF: Sarah Selden, Senior Planner

1. CALL TO ORDER

Chair Holcombe called the meeting to order at 6:34 PM.

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

None.

3. ADOPTION OF MINUTES

Vice Chair Williams moved to adopt the August 13, September 10, September 24 and October 8, 2019 minutes and Commissioner Bick seconded. The motion passed unanimously.

AYES: 6

NOES: 0

ABSTAINED: 0

4. PUBLIC HEARINGS

a. File Number 2019-50-DR-VAR

Chair Holcombe read the Opening Hearing Statement for a Quasi-Judicial, land use, Hearing. Senior Planner Selden cited the applicable criteria.

Senior Planner Selden reviewed the staff report as reflected in the presentation. (*Exhibit A*) In summary, the request is for site design review approval for three speculative warehouse buildings totaling 261,420 SF on a vacant 14.35-acre lot in the General Industrial zone. The site is located at 23131 NE Sandy Blvd. in the Townsend Business Park. A Class B Variance is also requested to reduce driveway spacing on NE 230th. She reviewed the key conditions of approval and commented staff recommends approval of the site design review application and variance request subject to the conditions of approval listed in the staff report.

Commissioner Hook inquired about the comment from Multnomah County Transportation and their conclusion that the project will have a transportation impact (staff report, Exhibit B1, page 3); didn't see conditions of approval related to it. SP Selden replied even though an impact was identified no additional mitigation measures were needed beyond what is already identified in the Transportation Mitigation Plan

Master Agreement (TMPMA). Instead what was required was the development pay the proportionate share to help cover the cost of the signal already installed at 238th and Sandy Blvd.

Commissioner Dennerline asked if they would have to join the Lighting District. SP Selden replied there are street lights along 230th. Multnomah County included a condition that the applicant check in with the Lighting District to make sure that was in place meets the District's standards.

Commissioner Lawton inquired about tilt-up construction and clarified speculative means no tenants are specified. SP Selden replied no tenants are identified and would refer the tilt-up question to the applicant.

Lee Leighton, Planner, Mackenzie, applicant representative, commented on Commissioner Hook's inquiry. If the County had found there was no impact there would be no basis to require the applicant pay their portion for the signal; it is an essential finding that there is an impact, but it is consistent with the traffic planning. He replied to Commissioner Lawton's question about tilt-up construction. It is a construction technique where the base of the floor is built and used to pour reinforced concrete to form the walls, which are then tilted up into position. Mr. Leighton talked about the driveway layout and grade; confident it will be safe and well-functioning.

Commissioner Lawton asked if special drainage is needed because of the grade from the site to the road. Mr. Leighton referred to the five storm infiltration ponds on the site to treat and detain the storm water; designed to keep most on site. Has been reviewed by engineers.

Commissioner Lawton inquired about the additional parking and traffic; though will have an impact, not significant. Mr. Leighton replied the development is consistent with the TMPMA; the traffic impact is consistent with the plan and the anticipated growth.

Commissioner Lawton asked if the buildings will be constructed for earthquakes. Mr. Leighton answered yes, they will be designed and built to seismic requirements.

Chair Holcombe noted other developments of this type in the area seem to be taking a long time to occupy; anticipate the same with this development. Mr. Leighton replied having available, ready to go spaces is key in being competitive. This helps Fairview's economic development future in having move in, ready spaces.

Chair Holcombe asked if any person would like to speak in favor of the application. Mark Childs, Portland, OR, real estate agent for the project spoke in support of the application. He noted the buildings are designed to be split into three tenant spaces; providing flexibility in accommodating space needs.

Chair Holcombe asked if any person would like to speak in opposition or neutrally about the applications. Hearing none, asked for final questions from the Commission.

Commissioner Lawton asked if the spaces could be portioned smaller than the three; create a sense of community; fill a niche from a marketing perspective. Mr. Leighton answered it is possible; would be a costly conversion, but could be done if the market supported it.

Chair Holcombe closed the public hearing.

Commissioner Hook commented on a condition of approval, B.12., page 49; add suggested adding “applicant will submit” for clarity. SP Selden suggested adding “shall be submitted with plans for approval”. Commission agreed.

Commissioner Dennerline moved to approve 2019-50-DR-VAR and Commissioner Hook seconded. The motion passed unanimously.

AYES: 7

NOES: 0

ABSTAINED: 0

b. File Number 2019-52-CUP

Chair Holcombe read the Opening Hearing Statement for a Quasi-Judicial, land use, Hearing. SP Selden cited the applicable criteria. Chair Holcombe disclosed this was brought up at a Parks and Recreation Advisory Committee meeting, which she is also a member of, and she was made aware that some members were concerned about public safety. There was no objection to her continuing.

SP Selden reviewed the staff report as reflected in the presentation. (*Exhibit B*) In summary, the request is for a conditional use approval for extension of the regional 40-Mile Loop bike and pedestrian trail located on top of the Columbia River Levee; extend from trail in Blue Lake Park east and connect with trail in Troutdale.

Commissioner Owen asked about the staff recommendation that the approval expires two-years from date of final decision; what is the criteria for it. SP Selden replied it is a standard land use expiration time line for the applicant to submit permits. If the applicant is not able to submit in two years, there is an option for an extension.

Commissioner Lawton asked if there is a single owner of the entire loop. Director Berry answered many stakeholders are involved the Port took over the lead agency role and local match responsibility for the federal grant from Fairview. ODOT, Metro, Troutdale, and other agencies are partners in this project.

Steve Lindquist, Port of Portland, shared this portion of the trail will create a vital link that has been missing. He reiterated the Port is the lead agency; federal funding has many complexities, the Port was more equipped to navigate these than Fairview.

Commissioner Bick inquired if other portions of trail are being completed. Mr. Lindquist answered other than a small section in Troutdale, most of East County will completed. This project will complete about two miles of trail. They are making progress in closing the gaps.

Commissioner Hook inquired about restrooms, fencing and lighting along the trail. Mr. Lindquist replied they are not included, services will be in parks along the trail i.e. Blue Lake. The trail is just a trail; want it used during day light hours. He noted there are significant levee restrictions.

Commissioner Hook asked if there has been discussion with properties that will require easements. Mr. Lindquist replied they are aware of it, the properties are in the levee

encroachment zone; are unbuildable, undevelopable properties. Anticipate they will be pleased with getting a fair value price for something that cannot be used any other way.

Commissioner Lawton inquired again about a single owner or lead agency for maintenance consistency and public safety once gaps are completed. Mr. Lindquist replied at this time each jurisdiction is responsible for the portion in their boundary; having an overarching organization i.e. Metro is something the partners would have to discuss.

Chair Holcombe asked if anyone would like to speak in favor of, opposition of, or neutrally about the application. Hearing none, she asked for final questions by the Commission. There were no questions, Chair Holcombe closed the public hearing.

Commissioner Hook expressed concern for the public safety aspects; feeling safe to use the trail. He referred to the applicable criteria FMC 19.440.400 for the standards for conditions of approval. He queried if there were additional conditions that could be added to help make the trail safer i.e. possibly lighting, but not sure if feasible. Director Berry replied the trail is on the levee and regulated by the Army Corp of Engineers; logistics to provide lighting would be very cumbersome and costly. Commissioner Hook suggested encouraging Council to work with MCSO and Citizens on Patrol to monitor the trail.

Commissioner Owen moved to approve 2019-52-CUP based on staff recommendations and conditions of approval and Commissioner Lawton seconded. Motion passed unanimously.

AYES: 7
NOES: 0
ABSTAINED: 0

4. TENTATIVE AGENDA

December 10 - Review community engagement plan for the Halsey site readiness and code update projects.

5. ADJOURNMENT

Meeting adjourned by consensus at 8:29 PM.


Devree A. Leymaster
City Recorder


Hollie Holcombe
Chair

01-15-2020
Date

**FAIRVIEW
PLANNING COMMISSION
PUBLIC HEARING**

2019-50-DR-VAR
Dermody/Townsend Lot 10

November 12, 2019



APPLICATION

Site Design Review Approval for new development in the General Industrial zone:

- 261,420 SF of industrial space on a 14.35-acre lot
- 3 tilt-up concrete buildings for warehouse or light manufacturing with associated office

Class B Variance to reduce spacing between driveways on NE 230th

SITE LOCATION



NOTICES/REFERRALS/TESTIMONY

Notice of Public Hearing

- Oct 22: Published in the Gresham Outlook
- Oct 23: Mailed to property owners within 250 ft. of the site
- Nov 1: Sign was posted on the site

Referrals

- Application routed to Multnomah County Transportation, Gresham Fire and Fairview Public Works

Written Testimony

- By noon on the hearing day, no written testimony received

APPLICABLE CRITERIA

Land Use Districts
19.85 General Industrial District

Design Standards
19.162 Access and Circulation
19.163 Landscaping, Street Trees, Fences and Walls
19.164 Vehicle and Bicycle Parking
19.165 Public Facilities Standards

Application Review Procedures
19.400-19.426

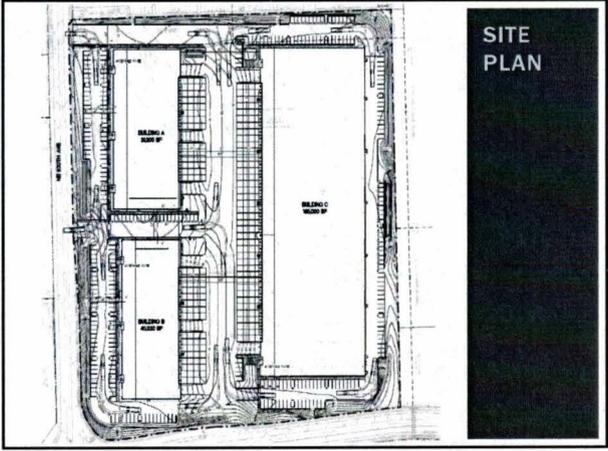
Exceptions to Code Standards
19.520 Variances

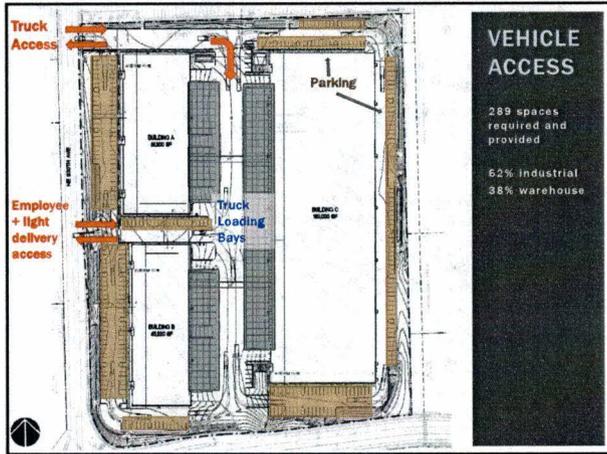


ALLOWED USES

■ **1. Industrial**

- a. Heavy manufacturing, assembly, processing of raw materials (CU)
- b. Light manufacture (e.g. electronic equipment, printing, bindery, furniture, and similar goods)
- c. Warehousing and distribution
- d. Junk yard, motor vehicle wrecking yards, and similar uses
- e. Columbia River industrial uses north of Marine Drive
- f. Uses similar to those listed above





CLASS B VARIANCE

- Reduces spacing from 50 ft. to 34 ft. from between northern driveway and adjacent site driveway
- Location provides flat grade for trailer truck access
- Aligns driveway with access drive around perimeter of site
- Shared access not feasible
- 2 driveways required for development site

Existing Driveway

CLASS B VARIANCE

- Reduces spacing from 50 ft. to 34 ft. from between northern driveway and adjacent site driveway
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- 2 driveways required for development site

Existing Driveway

Proposed Truck Access

NE 230th Ave.

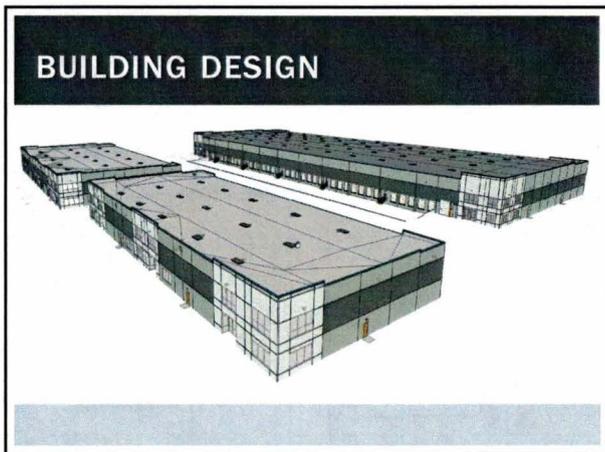
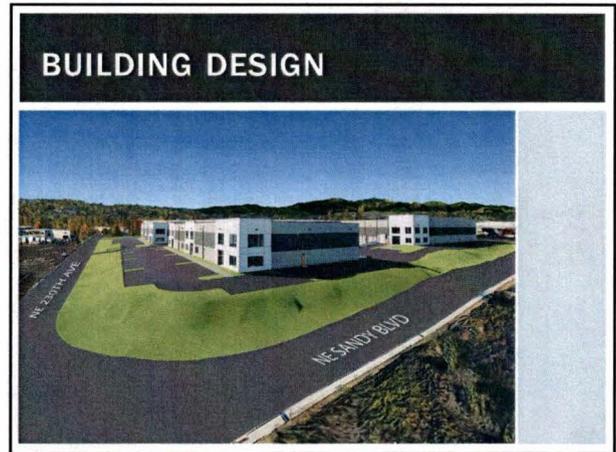
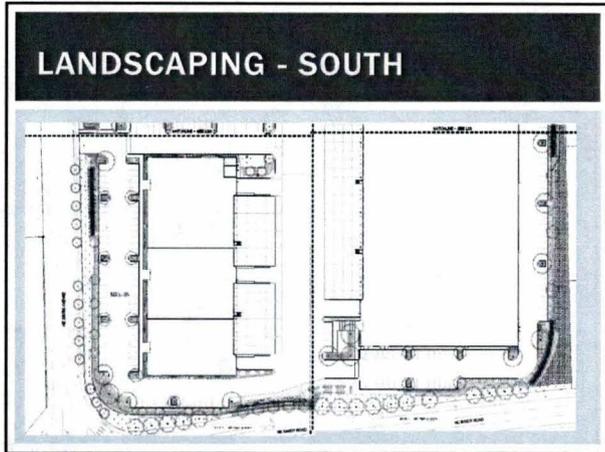
LANDSCAPING - NORTH

Overall Landscaping:

- 10% landscaping required
- 15% landscaping proposed (98,388 SF)
- 47 street trees

Parking area required landscaping:

- 2,096 SF
- 11,350 SF provided
- 78 trees



PUBLIC FACILITIES

- Water & sewer available from NE 230th Ave.
- Stormwater detained and treated, prior to releasing in public stormwater pipe west of site



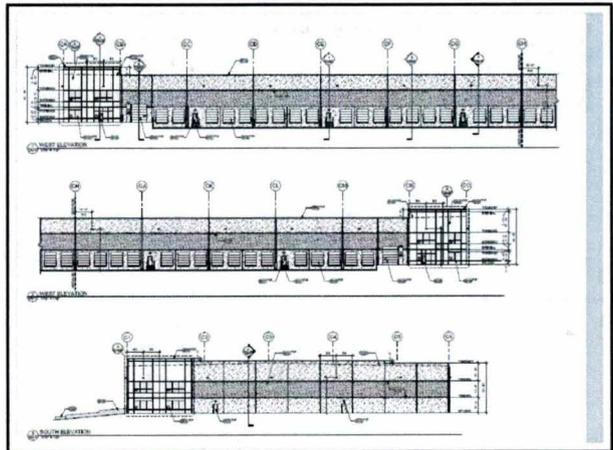
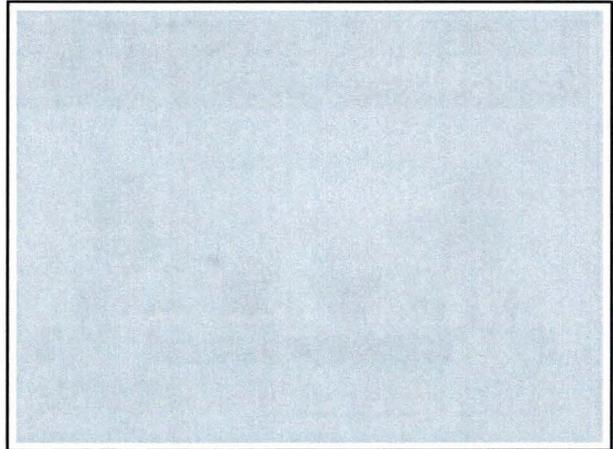
- ### KEY CONDITIONS OF APPROVAL
- City of Fairview**
- B-5 Final Stormwater Management Plan
 - B-7 Two bike parking spaces with bike racks
 - B-10-13 Demonstrate compliance with utility standards
 - B-2 Improve 230th with street trees, planter strip, and sidewalk
- Multnomah County Conditions**
- 2. Payment of a proportionate share of project in Transportation Mitigation Plan Master Agreement
- Gresham Fire Conditions**
- 1-13 Exhibit B-2

STAFF RECOMMENDATION

Staff finds that the proposed application will meet the requirements of the City Code as conditioned, and recommends approval of the Site Design Review and Variance requests subject to conditions in the Staff Report.

PLANNING COMMISSION ALTERNATIVES

- Approve the application based on the findings of compliance with City regulations and conditions of approval.
- Modify the findings, reasons, or conditions, and approve the request as modified.
- Deny the application based on the Commission's findings.
- Continue the Public Hearing to a date certain if more information is needed.



**FAIRVIEW
PLANNING COMMISSION
PUBLIC HEARING**

2019-52-CU
40-Mile Loop Trail Extension

November 12, 2019



APPLICATION

Conditional Use Approval for extension of the regional 40-Mile Loop bike and pedestrian trail.

- Located on top of the Columbia River Levee
- Will extend from existing trail in Blue Lake Park and continue east into Troutdale
- Located on portions of 6 tax lots in 3 zoning districts

NOTICES/REFERRALS/TESTIMONY

Notice of Public Hearing

- Oct 22: Published in the Gresham Outlook
- Oct 23: Mailed to property owners within 250 ft. of the site.
- Nov 6: Sign was posted on the site

Referrals

- Application routed to Multnomah County Transportation, and Fairview Public Works

Written Testimony

- By noon on the hearing day, no written testimony received

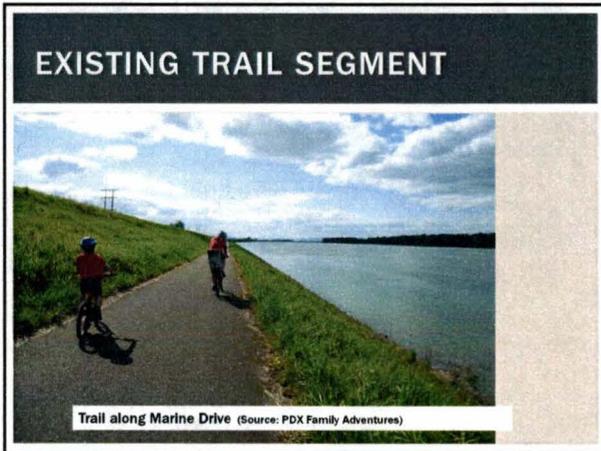
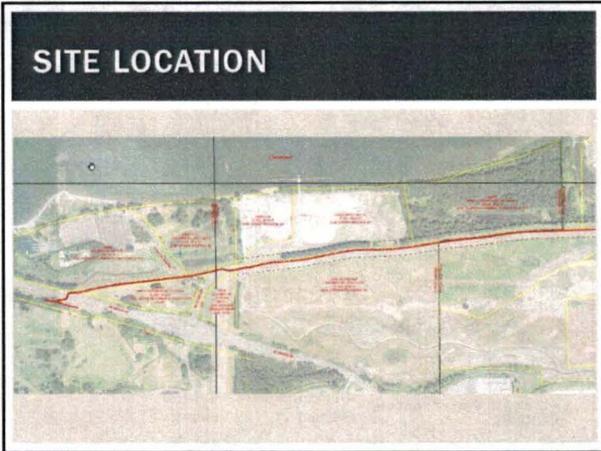
APPLICABLE CRITERIA

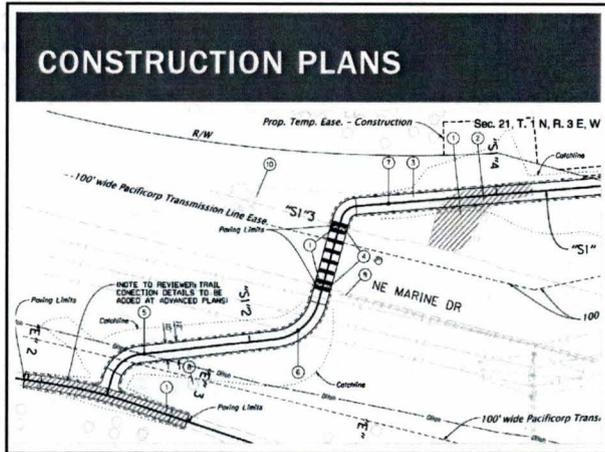
Application Review Procedures

- 19.400 Administration of Land Use and Development Review
- 19.413 Procedures
- 19.440 Conditional Use Permit

Land Use Districts

- 19.25 Agricultural Holding Zone
- 19.30 Residential District
- 19.85 General Industrial District





OWNERSHIP + ZONING

Tax Lot	Owner	Zoning	Comprehensive Plan Designation
1N3E22 - 00502	Metro	R/CSP (Residential/Community Service Parks)	Parks
1N3E21 - 00400	Metro	R/CSP	Parks
1N3E21 - 00101	Metro	R/CSP	Parks
1N3E22 - 00504	Georgia Pacific	GI (General Industrial)	River Oriented
1N3E22 - 00100	Landco, LLC	GI	River Oriented
1N3E22 - 00300	Port of Portland	AH (Agricultural Holding)	General Industrial



ALLOWED USES

19.25 Agricultural Holding Zone
 19.25.030 Conditional uses.
 F. Community service/parks.
 G. Other community service uses and uses similar in nature to those listed above when approved by the planning commission.

Chapter 19.30 Residential (R) District
 19.30.020 Permitted land uses.
 Community services/parks (CU)

FMC 19.85 General Industrial (GI) District
 Table 19.85.020.A: Land Uses Types Permitted in the General Industrial District
4. Community Services/Parks Uses (CU)*
 c. Passive open space (e.g., natural areas)

CONDITIONAL USE CRITERIA

1. *The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;*
2. *The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval; and*
1. *All required public facilities have adequate capacity to serve the proposal.*

KEY CONDITIONS OF APPROVAL

B. Prior to Construction

1. Prior to any construction in the Marine Drive or NE 223rd Avenue right-of-way, the applicant shall apply for a ROW permit with Multnomah County.
2. The applicant shall obtain a grading and erosion control permit from the Fairview Public Works Department. The City of Fairview permit shall be obtained no more than 30 days before grading is commenced on site.
3. The applicant shall install tree protection measures for any tree marked for protection on the construction plans, with a 6-inch DBH or greater.

STAFF RECOMMENDATION

Staff finds that the proposed application will meet the requirements of the City Code as conditioned, and recommends approval of the Conditional Use Permit subject to conditions listed and described in the Staff Report.

PLANNING COMMISSION ALTERNATIVES

- Approve the application based on the findings of compliance with City regulations and conditions of approval.
- Modify the findings, reasons, or conditions, and approve the request as modified.
- Deny the application based on the Commission's findings.
- Continue the Public Hearing to a date certain if more information is needed.