

Minutes
Aurora Planning Commission Meeting
Tuesday, March 04, 2013 at 7:00 P.M.
Aurora Commons Room, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Kelly Richardson, City Recorder
Renata Wakeley, City Planner

STAFF ABSENT: NONE

VISITORS PRESENT: Annie Kirk, Aurora
Brandon Reich, Marion County Planning
Gus Wettstein, Aurora
Tom Potter, Aurora
Christopher Fisher
Ben Williams, Aurora
Mike Birrenkott, Aurora
Jason Cromer, Aurora
Nick Kaiser, Aurora
Spud Sperb, Aurora
Lori Sahlin, Aurora
Rick Vlcek, Aurora
Megan Patterson, Aurora
Scott Brotherton, Aurora
Craig McNamara, Aurora
Scott Reilly, Aurora
Joel Futch, Aurora

1. Call to Order of Planning Commission Meeting

The meeting was called to order by Planning Chair Joseph Schaefer at 7:02 p.m.

2. City Recorder Did Roll Call

Chairman, Schaefer -	Present
Commissioner, Willman	Present
Commissioner, Gibson	Present
Commissioner, Graham	Present
Commissioner, Fawcett	Present
Commissioner, Weidman	Present
Commissioner, Rhoden-Feely	Present

3. Consent Agenda

Minutes

- I. Aurora Planning Commission Meeting –February 04, 2014,
- II. City Council Minutes – January, 2014
- III. Historic Review Board Minutes –

City Planner Wakeley states she was present at the last meeting and asks that the February minutes reflect her presence.

A motion is made by Commissioner Graham to approve the consent agenda as presented and seconded by Commissioner Weidman. Motion Approved by all.

Correspondence

I.

4. Visitor

Anyone wishing to address the Planning Commission concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Planning Commission could look into the matter and provide some response in the future.

No one spoke.

5. New Business

A. Discussion and or Action regarding Manufacturing in Commercial zone.

Many of you may be aware of vacant properties in and around town and the property owners would like to do more manufacturing than what is currently allowed. We currently allow 50% of the primary business. Do we want to allow more than this especially focusing on the south end of town. We don't have a specific text amendment in front of you yet I just really wanted to present it to the group and get some feedback.

Commissioner Graham, to clarify everything on the map in red is Commercial zone. (yes)

Commissioner Fawcett, under conditional uses under commercial it says 1,000 feet from residential zone. **Schaefer**, you are reading about adult entertainment only we are talking about item **D**.

Graham, I think it's a good idea so the properties can be used because they have been vacant for so long.

Willman I think it would depend on what is going in there, anything that would be bad for Aurora such as smell, nuisances, noise Ect I do not think it would be a good idea. **Schaefer** that is why we have a conditional use column so we can regulate that.

Wakeley also you have a Gateway Design Standards for new structures however if you are subject to site development review then at that time it would be regulated.

This is not a hearing

Mr. Sporb, directs a question to City Planner, Wakeley does the current city code just specify one commercial zone? **Schaefer** there is a separate industrial zone. **Wakeley** you have HRB Commercial and a Commercial zone. Many items have the same language in them regarding this issue.

Schaefer let's focus this discussion on outside of the HRB district, Feely are you still saying clearly incidental to the primary business, yes.

Chris Fisher property manager for Toby j's. Toby's is currently in the commercial zone and I certainly wouldn't want to evict them. City Planner Wakeley he is grandfathered in.

Annie Kirk asks if there is a pending application that would benefit from this if you were to pass it?

Wakeley, none at this time I have had conversations with Toby J's regarding another property.

Weidman, it's a concern but at this point it's hard to say without an application.

Weidman, I don't think we should be talking about a zone change.

Wakeley one thought you could use a conditional use application and you can make requirements based on individual business types.

Gibson, so I think we should do a conditional use but we could raise the percentage as well so the properties are more useful.

Fawcett I think it depends on if it abuts to a residential zone or not. I believe there are quite a few that do. **Wakeley** currently your code requires 100 feet buffer from residential zone along with that they would need additional spacing and setback with a buffer of shrubbery. I can think of many businesses that buffering wouldn't help much if next to a family. **Fawcett I** think it's a case by case basis next to a residential zone.

Case by case so far seems to be the consensus. However **Chair Schaefer** it's hard to enforce if a business grows and all of a sudden they put in a night shift. It is hard to enforce hours of operation and no other section of code or business license requires this.

Why is this on the agenda, **Schaefer** because we have empty building and we have had people complaining that they can't do what they want at there property?

Annie, can we get a recap on gateway standards, **Schaefer** there is no change to gateway standards any new construction would have to comply. Not many of the businesses are going to trigger the 25% rule. I would like to see it buffered from potential ugly uses driving down 99E. so I think the gateway standards require a 100 foot buffer and design standards would apply.

Wettstein, a compromise might be rather than considering the east sides of 99E since it is mostly abutting the residential zone just consider the zone change for the West side of 99E.

Sperb, the industrial zone was put in near the railroad tracks so it wouldn't be visible. I want to address only this section currently with the zone requirements you are not getting that buffering that was intended. Possibly we should consider a new zone to focus on buffering.

Mike Baron, Kasel Court how is traffic measured, **Schaefer** it is done by the trip generation manual and it measures the trends of the traffic impact. It is based on industry trends and the standard reference used nationwide.

Gibson, I believe we can be more liberal of what is allowed based on individual information.

Willman, leave it alone.

Weidman only on the West side if anything.

Rick Vlcek, what's magical about 50% number we could change it if we want to correct.

You could strike percentage completely, say retail or whole sale business since it's already got a conditional use. Or would you leave the incidental language in to clearly the primary business.

Wakeley clearly the incidental is the harder requirement.

Graham, the west side of 99E needs help and I think we could do a closer study to help this area out.

Schaefer we could come up with a light industrial zone but that is a big job. My point was a code change to handle this.

Chair Schaefer tables this item for next month when he can gather some language for the change.

7. Old Business

A. Discussion and or Action on the City Regulation of Marijuana.

Chair Schaefer, gives an update the legislature is not likely to pass a bill on putting a ballot measure out there for recreational marijuana. That leaves it open to the private parties. **Wakeley** the legislature is still discussing what prohibitions would be on medical marijuana uses.

Medical, Grow sites are essentially a secure warehouse with security where they grow it.

Dispensary is essentially retail they sell it.

Reilly, not sure how this will fit into this discussion currently your code doesn't allow a business license legally to anyone who would grow illegal narcotics.

The question I propose to you is should we allow a grow facility in our industrial zone and where is the best fit for the dispensary.

If we were to allow it in the industrial zone;

Weidman, yes

Willman, yes

Graham, yes

Fawcett shouldn't abut residential zone.

Feely, no comment, would this limit a person that is registered to grow in their residence no we don't regulate that and we can't restrict that from happening. 6 mature plants each patient 18 seedlings and no more than 4 patients.

Gibson Industrial.

It is the consensus of the Planning Commission to allow a grow facility only in the industrial zone not abutting a residential zone.

Wakeley I have supplied some examples of language for you to consider, with the attached ordinances from City of Willamina and Stayton.

What do our visitors say?

Megan Patterson, I currently run a child care facility out of my home and since we only have one officer in our town I am very concerned with the security aspect of this whole thing or lack thereof. I would say no.

Brotherton, Park Ave if you take for example a grow operation compared to say a nursery business it there a way to catch those changes and regulate appropriately. (yes) through change of use and business license along with building permits.

Fawcett, comment on what Brotherton stated, I think the difference is that this would be processed and compressed after and also an illegal substance.

Gibson, it would look like a retail operation, I think it would generate a lot of traffic, **Schaefer** we could put it in the industrial zone many jurisdictions do for example adult books and so forth. **Wakeley** there are a 1000 feet buffer rule from schools and daycare. However since daycare businesses come and go it would be hard to regulate. **Schaefer** you could if you only allow in industrial zone.

Gibson, Graham in favor of the industrial zone.

Fawcett, Feely Weidman commercial zone

Willman just say no

Schaefer, industrial

Chair Schaefer I will talk with city council next week to get a sense of what they would like to see or not.

Reilly, who are you afraid of litigations from the growers or the citizens of Aurora **Schaefer** anybody on either side.

C. Discussion on LA-13-1 regarding sale of water to the Aurora Airport. *Following the presentation 2 of the 4 members of council that were in attendance left the room so as to not appear as a decision making body.*

Brandon Reich with Marion County has presented a hand out for citizens on the process for Marion County perspective which is a land use procedure for getting this done if the city wants to.

Brendon, Marion County Planner, amendment and acceptance develop to the comp plan, our comp plan disallows water usage outside and we are more restrictive than the state and as a city you have a long process to follow in order to do this. The purpose of the amendment was to get us the County out of the way so that Aurora can do what they want to do regarding this issue. The public hearing was scheduled to remove this block and it was taken off and won't go back on until the city asks for it to go back on.

Tom Potter, 21244 Liberty, back ground on why airport needs water, I (Brendon) have collected certain information and some of the wells have arsenic in them and they are in need of fire suppression and with the entire impervious surface it is limited as to where they can locate. **Potter**, Why can't they drill their own, Brendon not sure?

Annie Kirk, point I want to get to is about the future, if the City of Aurora extends water to the airport and it grows and just outside the Marion County boundary a large business gets built I had then asked you if the water could get extended across county lines. I believe that there could be an exception but it would be a different exception. Generally water doesn't suppress growth. This is simply a commercial or employment use and there would have to be an emergency to extend sewer.

Graupp, Wilsonville does extend across to counties but they are within in there city limits

Guy Sperb, is the water at the airport a multi use or is it only for fire suppression or potable water. What are they asking for I believe it is for 5,000 gallons at full build out.

Gus Wettstein, at the January meeting? It was a comp plan amendment and public hearing and the County Commissioner asked for this and initiated it. **Brandon**, It was based on information from the

city so did the city initiate this? Contact Don Russo of Marion County Commissioners he can give you that information.

Scott Reilly, is the water a public safety hazard as of yet. I have an email from Greg Debluss with Environmental Health from Marion County and is has not been declared a health hazard as of yet according to him.

Graupp, the airport only does fire suppression at this point.

Annie, we are talking supply for fire suppression and employment not drinking water correct. Why do they want our water because they want to expand fire suppression options and potable water for employment use.

Schaefer, you can't extend water outside of city limits because it is a State law or rule for residential.

Annie, what I heard a moment ago was based on a potential health hazard Brendon no it was for an exception to the fire suppression.

Rick Vlcek, could you fill us in on what the discussions were that led us to tonight. Who initiated it?

Schaefer let's talk about this later.

Wettstien, is there someone from airport here tonight.

Tom Potter, I have copy of memo that Brendon wrote and it points out that it would be difficult to drill because of zone and impact. Brendon because of setback and impervious surface and the arsenic on one well and then they have to be careful where they drill again. Would they have to address the Planning Commission for other options? No you could ask the board to show other options. So drilling an existing well deeper Brendon yes that could be an option but not sure that will help with arsenic.

Willman, is there hard data that the well has arsenic who did the study? A member of the airport gathered the data and sent it out to a testing firm.

Fawcett, do you know of any other projects past the airport for any other projects in the county in this area. Brendon I have not seen anything.

Greg Taylor, is this process that has started have anything to do with the FFA expansion plan? Brendon no not that I am aware of I don't see a connection to this. Taylor wouldn't they be required to make sure they could pump a certain amount of water.

Vlcek, once water line is ran and in the ground would it be easier to apply for a zone change. Brendon no I don't believe so you can get a zone change for a committed exception or reason exception (more difficult) which is where you state a certain reason (say for an extension of sewer plant for example) then there is another in depth study done correct?

Scott Brotherton asked a question regarding the ownership of the helicopter business however as answered by Brendon they are not a part of the actual airport but of the surrounding area.

No questions of Brendon at this time. We would like to thank you for coming and explaining this to our constituents.

Chair Schaefer asks the status of the following documents being posted to the city web-site. We will provide a link for these documents,

Water study 2005
Staff Report Marion County
Link to Airport Master Plan
Add materials that were presented tonight.

Chair Schaefer general comments, many people are concerned with water supply since we had to regulate over the summer so why would we even think about this without researching our options. Because we could require the airport to help us with our water supply problem if we solve it ourselves we are likely going to pay high water bills. So if we allow the sale of water to the airport it could potentially be a win for us because they would essentially pay for our water issues as well. We have learned since last summer that well 5 has been clogged and we are working on that issue and hope to have it resolved very soon and hopefully it will help our water quality.

Next water rights, the city has rights that are unused from old wells presumably anything being done outside of city limits we would take the water rights this is a normal practice that is how cities grow and obtain the land and water rights from that land.

Nick Keiser, there is source document that you didn't talk about it would be the water master plan which supersedes the other document you talked about. The airport has a lot to do before any of this could happen. At some point we will need to regulate.

Schafer, we are not going to spend money to study this at this time we cannot spend money for this.

Nick, when you have the airport needing something it's up to them to provide the data to prove what their needs are. The fire district is already stating that there is not enough fire suppression already.

Sperb, thank you very much for the overview. I am concerned about your statement regarding our water bills going up if the city were to decide to take this on. So drilling wells within city. What is the benefit to the citizens?

Schaefer, if we were to look at drilling we wouldn't drill near airport because we already know that area is not very good.

Nick, we have a water filtration unit that is at its capacity.

Schafer, the city can always use capital improvements and if we had someone that can pay for it then why not.

Reilly, you talk about others helping pull the cart this is a cost to them we have to have a buy in from airport on this or we are wasting time. We are spinning our wheels.

We would have to build in any agreement limitations.

Willman, I would like to see or hear from the airport to see if they can afford this. **Weidman** I agree with Amy. Let's get some data before we talk more.

Schaefer look at their master plan. It's on our web page.

Vlcek, they already have in ground tanks for fire suppression only.

My question, is this a done deal are we going to keep hammering on this until it's a done deal. Unless I see data and interest from them then I say we give it up. Are we going to table this or keep it going as a tax payer how are we going to split it up, obviously our job as city officials we need to make it.

Wettstien or annexation, it seems that we are trying to give something to airport without annexation. I am concerned that there are no airport officials here to answer these questions.

Schaefer, As far as annexation goes you could say you can have our water when you annex. This would require growing the urban growth boundary and this would cost millions and if you think this meeting was a waste of time then go there and really waste some time. This is so beyond our resources right now.

Annie Kirk, on 2/12/2014 I sent an email to request for consideration to form a task force to look at the relationship with the airport.

City does have an IGA with Marion County and ODA and we used to have meetings with these organizations.

Potter, it really seems as though we are spinning our wheels and I think our time would be better served looking at our own water quality issues.

Weidman, are we addressing water issues. Yes the council is and so is Public Works along with the Mayor.

Mercedes, look at city goals in respect to the cities issues and compare.

Schaefer, goal is quality and quantity. I say fix quality.

Gibson, we still have a lot of distribution problems in the system and it's old and will be expensive to fix it.

7. Commission Action/Discussion

- A. City Planning Activity (in Your Packets)
Status of Development Projects within the City.
 - City Planner Wakeley had no discussion items in addition to what has been previously discussed or presented on her report.

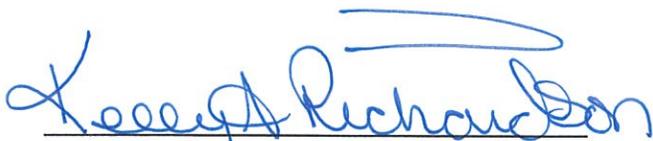
8. Adjourn

Chairman Schaefer adjourned the meeting at 9:47 pm



Chairman, Schaefer

ATTEST:



Kelly Richardson, City Recorder