

Minutes
Aurora Planning Commission Meeting
Tuesday, June 4, 2024 at 7 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

STAFF PRESENT: Curt Fisher, City Planner; Stuart A. Rodgers, City Recorder

STAFF ABSENT: NA

VISITORS PRESENT: Alex Safronchik, Tom Griffith, Joseph Schaefer, Julie Sixkiller, Aurora; Theodora and Michael Shriver, Fil Kartal, Hubbard; Britany Randall, Steve Elzinga, Salem; Steve Ward

1. CALL TO ORDER OF THE AURORA PLANNING COMMISSION MEETING

Chair Joseph Schaefer called the meeting to order at 7pm.

2. ROLL CALL

Chairman Joseph Schaefer-Present

Vice Chair Craig McNamara-Present

Commissioner Bud Fawcett-Present

Commissioner Jim Stewart-Present

Commissioner Jonathan Gibson-Present

Commissioner Tyler Meskers-Absent

Commissioner Bill Graupp-Present

3. CONSENT AGENDA

a) Planning Commission Minutes – May 7, 2024

A correction was made to the second sentence of the second paragraph under section 8 a. to strike the miscellaneous words “At the”.

Commissioner Jim Stewart moved to accept the Consent Agenda as amended, Commissioner Craig McNamara seconded, and the motion carried.

4. VISITORS-NA

5. CORRESPONDENCE-NA

6. NEW BUSINESS

Site Development Review Application City Case File SDR 24-01

To note, Commissioners Joseph Schaefer and Jim Stewart, recusing themselves based on conflicts of interest, left the room. It was noted this is an administrative review, not a hearing. Vice Chair McNamara provided instructions and handed the meeting over to City Planner Curt Fisher to give a synopsis of a staff report in the packet. At the conclusion of the staff report, Fisher noted that all applicable criteria have been met or can be met with conditions of approval as recommended. Staff recommend approval of the development application as recommended in the staff report. Britany Randall from

Brand Land Use representing Fil Kartal the owner and applicant, addressed the Planning Commission noting that plans submitted at this phase are preliminary to obtain land use approval and would be refined to meet criteria set forth in conditions of approval and at the time of building permit submittal. Randall believes that the development proposal is appropriate in size and scale. Randall has defined the first floor from the second floor in both color and material and has articulated entrances and pedestrian connections onsite. With an 8-plex including three-bedroom design, these are geared toward families looking for an alternative housing type in Aurora. Steve Ward with WesTech Engineering discussed a modified stormwater design based on opposition to the application. They are 90 percent toward permit approval from Oregon Department of Transportation for discharging stormwater directly to the Highway 99e ditch. At the time of a follow-up submission, the applicant will have modified stormwater plans and an ODOT permit. It was noted that parking space width has increased by six inches with space to do so. All ground floor apartments will have no steps, making them ADA accessible. Off-street parking will not be allowed by way of a condition of approval requiring no parking signs posted on the private street. Visitor parking is anticipated in the base parking requirements. Following the staff report, discussion by the Planning Commissioners, and applicant response, Vice Chair McNamara noted all that was left was to make a decision. Prior to proceeding with that next step, Attorney Steve Elzinga representing Peyton Circle property owner Tom Griffiths raised a procedural objection and in light of anticipated modifications to the original application based on testimony this evening, citing a Land Use Board of Appeals (LUBA) precedent on a handout provided to Commissioners. Elzinga explained he was prepared to add additional testimony based on that citation given the new testimony opened the record and allows for right to comment. Planner Fisher reviewed the precedent and noted that the circumstances of that decision are nothing like what the Planning Commission considers here. What was considered by the LUBA referenced case is a conditional use permit and a quasi-judicial decision that involves compliance with a statewide planning goal that is a very discretionary decision. In the LUBA case, the applicant modified its plan after the first decision was made by a hearings officer. So to make that applicable here, there would have to be a Planning Commission decision tonight and there would have to be an appeal to Council based on a modified application. It was acknowledged that this proceeding is not a quasi-judicial hearing and that the modifications are forthcoming in response to the staff report's conditions of approval. It was explained that if this were a quasi-judicial hearing, testimony would be required as part of the procedure for such a decision. There were no concerns among Commissioners about the conditions of approval, and it was acknowledged that the City Engineer and Public Works Superintendent support the conditions. Planner Fisher said the terms of the stormwater agreement relating to parcel one's responsibility for stormwater management are ambiguous as to whether or not the property in question has the right to connect to the stormwater facility pertaining to those and the other Peyton Circle properties. Currently there is no agreement in place between the developer and owner of parcel one (Tom Griffiths) to reconcile the issue of stormwater management relative to the original agreement, and in turn as it relates to this development.

Commissioner Bill Graupp motioned to approve the Site Development Review application (SDR 24-01) consistent with the plans and materials provided by the Applicant, materials provided to the record, and findings in the report, with conditions as proposed by staff. That motion was seconded by Commissioner Bud Fawcett. None opposed, and the motion carried.

7. HEARING-NA

8. OLD BUSINESS

a) Airport Land Use Update

On a Positive Aurora Airport Management (PAAM) meeting, Commissioner Jonathan Gibson noted discussion about the master plan and plans for paving. There is a Public Advisory Committee (PAC) meeting on the Aurora State Airport Master Plan next Tuesday, June 11, 5-8pm, a virtual meeting. On Thursday, June 13, there will be an open house at North Marion High School, 4-7pm in the Commons area, a hybrid meeting for anyone who wants to attend, and discussion will focus on alternative airport designs.

Schaefer, Mayor Asher, and Councilor Rhoden-Feely met with Oregon Department of Aviation and City of Wilsonville people last week to discuss alternative airport plans. The entire master plan is expected to be adopted next spring or summer.


On the airport cases, the enforcement case against TLM is moving to the Court of Appeals on the substantive case. On the attorney fee piece, there has been no hearing scheduled yet.

b) Economic Opportunities Analysis Update

Chair Schaefer noted that on the Economic Opportunities Analysis, the consultant's deliverable is a 95 percent draft of the report to be presented at a third and final Technical Advisory Committee meeting next Tuesday, June 11, 3pm. Schaefer will send out that report to participants and to staff for addition to next week's Council packet.

9. ADJOURN


Chair Schaefer adjourned the Planning Commission meeting at 8:20pm.



Craig McNamara, Vice Chair


Joseph Schaefer, Chair

ATTEST:



Stuart A. Rodgers, City Recorder

