

CITY OF YACHATS
PLANNING COMMISSION
January 17, 2017

Minutes

The January 17, 2017 meeting of the Yachats Planning Commission was called to order by City Planner Larry Lewis at 3:00 p.m. in the Civic Meeting room of the Yachats Commons. Members present: Helen Anderson, Christine Orchard, Shelly Shrock, John Deriberprey. Absent: Ron Urban. Audience – 9.

I. Elect Planning Commission Chair and Vice Chair

Motion by Orchard to elect Helen Anderson as Chair and Ron Urban as Vice Chair. Aye – 4, No – 0, Abstain – 0, Absent - 1

II. Announcements and Correspondence

The City received applications from Ginny Hafner and James Kerti for the two vacant Planning Commission positions. Hafner and Kerti approached the podium and provided information and answered Planning Commission questions.

Motion to recommend to the City Council that both applicants be appointed to the Planning Commission. Aye – 4, No – 0, Abstain – 0, Absent - 1

III. Minutes

- **Work Session – December 6, 2016**
- **Regular Meeting – December 6, 2016**

The Planning Commission postponed consideration of the minutes due to a lack of quorum of members that attended the December 6, 2016 work session and regular meeting.

IV. Citizen's Concerns – None.

V. Public Hearings

A. Case File #1-THPUD-PC-16 Trotter-Koehler Townhouse Planned Unit Development Application

Anderson opened the Public Hearing for the Townhouse Planned Unit Development Application.

Anderson explained that the purpose of the hearing is to consider the application made by the City of Yachats for approval of a two unit Townhouse Planned Unit Development. Anderson asked if anyone wished to object to the jurisdiction of the Commission to hear this matter. There were none.

Anderson asked if any Commissioner wished to make any disclosure, or abstain from participating or voting on this application because: of possible financial gain resulting from this application, because you own property within the area entitled to receive notice of this hearing; because you have a direct private interest in the proposal; or because you have determined that you cannot be impartial. There were none.

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2 Anderson asked if any Commissioner needed to declare any contact, written, oral or
3 otherwise, prior this hearing, with the applicant, appellant, any other party involved in
4 this, or any other source of information (outside of staff) regarding the subject of this
5 hearing? If so, please state with whom you had contact and what was said. There were
6 none.

7
8 Anderson said that the public hearing process would be as follows:

- 9 a. Staff will identify the relevant criteria and summarize the staff report.
- 10 b. The applicant will have the opportunity to present the request and address
11 questions.
- 12 c. Proponents then opponents, then people who are neutral will have opportunity to
13 speak.
- 14 d. The applicant will then have the opportunity to rebut any opponent testimony.

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16 The City Planner summarized the staff report and written testimony received, i.e. letters
17 and emails from Quentin and Kathleen Smith, Ron Spisso and Carol McWilliams,
18 Steven McIntire, Maggie and Paul Marshall, and Linda Fava.

19
20 Anderson opened the public testimony portion of the hearing. Anderson asked
21 everyone addressing the Planning Commission to come forward and state their name
22 and mailing address.

23
24 Anderson asked the applicant to provide any additional information.

25
26 Applicant Betty Trotter Koehler presented information and answered questions. She
27 stated a primary reason for this request is to be able to sell one of the residential
28 dwellings and keep one of the dwellings.

29
30 No oral testimony was provided in favor or in opposition of the application however four
31 people provided neutral testimony. A summary of issues addressed in the oral
32 testimony included:

- 33 - A request to rezone the property to R-1 Residential to prevent further land
34 division of the properties in the future. The Planning Commission explained that
35 the size of the property(s) is not large enough to further divide the property and
36 increase the number of residential dwellings in the future.
- 37 - A request to maintain the north-south pedestrian easement across the eastern
38 portion of the subject property.
- 39 - Concern about future removal of the existing building and construction of a taller
40 structure with increased residential units. The Planning Commission explained
41 that the structure could be replaced with a taller building not exceeding the
42 maximum 30 foot height limit and the number of residential dwellings could not
43 be increased with the current R-2 maximum density standard.
- 44 - That providing access to the northern lot/dwelling via Coolidge Lane is can be
45 accomplished with minimal improvement and that would eliminate the possible
46 vehicular driveway conflict and reduce traffic on Lemwick Lane.

- 1 - The importance of establishing legal pedestrian access along the southern edge
2 of the subject property from the western terminus of Lemwick Lane to the 804
3 Trail for use by residents of Lemwick Lane.
4

5 Anderson asked the Planning Commission if they believe they have all the necessary
6 evidence they will need to make a decision. The majority of the Commission believed
7 they did have all the necessary evidence they needed to make a decision. There were
8 no requests to leave the record open for additional information.
9

10 Anderson closed the public testimony portion of the public hearing and opened the
11 deliberations. The Commission discussed:
12

13 1) the maximum density allowed on the subject property, i.e. two dwelling units;
14

15 2) the requested modifications to the R-2 regulations which are permitted through
16 the Townhouse PUD regulations, i.e. the proposed South Lot 5,984 sq. ft. area versus
17 the R-2 minimum 6,000 sq. ft. standard; the proposed North Lot 48.75 foot width versus
18 the R-2 minimum 50 foot standard, and the proposed 0 foot side yard setback for the
19 common wall between the two dwellings versus the standard 8 foot setback required for
20 a 24 foot high building.
21

22 3) the Planning Commission determined that the east-west oriented pedestrian
23 accessway along the southern boundary of the South Lot, between the west end of
24 Lemwick Lane and the 804 trail, should become a legal pedestrian access for use by
25 Lemwick residents, property owners, and occupants. Upon establishment of this legal
26 access, the existing north-south pedestrian easement across the east end of the subject
27 property could be vacated.
28

29 4) Vehicular access to the North Lot should be provided from Coolidge Lane.
30 The North Lot directly fronts Coolidge Lane. Improvements can be made to the eastern
31 portion of the North Lot to provide vehicular access to the existing driveway and garage.
32 This will eliminate potential vehicular driveway conflicts between the North and South
33 Lots, and reduce traffic on Lemwick Lane.
34

35 Motion to approve #1-THPUD-PC-16 Trotter-Koehler Townhouse Planned Unit
36 Development application with the conditions Lewis proposed in his staff report as
37 amended to require vehicular access to the North Lot from Coolidge Lane and to
38 remove the word "public" from the dedication of the southerly edge of the South Lot as a
39 pedestrian easement. Findings and Order to be prepared for the Chair to sign, Aye – 4,
40 No – 0.
41

42 **VI. New Business – None.**
43

44 **VII. Other Business**
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46 **A. From the Commission – None.**

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2 **B. From Staff** – Lewis reviewed the Land Use & Building Permit Activity.
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4 The meeting was adjourned at 4:35 p.m.
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8 Helen Anderson, Chair
9

10 Attest:
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12 _____