

8/17/2020 City of Hood River Planning Commission Meeting Notes
Meeting held via Zoom Webinar

Commissioners Present: Arthur Babitz (AB), Erika Price (EP), Megan Ramey (MR), Sue Powers (SP), Tina Lassen TL), Mark Frost (MF), Bill Irving (BI)

Staff: Planning Director Dustin Nilsen (DN), Associate Planner Jennifer Kaden (JBK), Senior Planner Kevin Liburdy (KL), GIS Analyst Jonathan Skloven-Gill (JSG), City Engineer Stoner Bell (SB), City Attorney Dan Kearns (DK)

Meeting went live: 5:31pm

AB gave participants time to get connected

I. Call to Order

AB call to order: 5:33pm, with explanation of meeting via Zoom video conference based on Governor's order

II. Planning Director's Update

DN noted there will be several upcoming meetings but recognizing the large audience for tonight's meeting, did not give detailed update.

III. Public Hearing

AB explained to meeting attendees the meeting is being recorded and then read procedural script.

AB asked if there are any questions about procedures before we begin – if so, click on “participants” button at bottom of screen and “raise hand.”

JSG confirmed there were no hands raised.

FILE NO. 2020-03 – Adams Creek Cohousing Site Plan Review (SPR)

PROPOSAL: Site Plan Review to construct a multi-family cohousing development including 25 dwelling units in 3 buildings, a parking lot, carport, two common buildings, pathways and walkways, street frontage improvements, and associated site improvements.

AB asked DK if time for disclosures. DK confirmed.

AB requested disclosures, ex parte, bias or conflict of interest

Megan R asked for definition of ex parte contact and bias

DK explained ex parte contact is any info you've learned about the project by speaking with people or visiting the site, etc. Bias is prejudgment, so irrevocably committed that can't be objective. Conflict of interest is a direct financial stake in the outcome

MR: Zero conflict of interest. As walking and biking advocate have been involved in background trying to create a neighborway between Katie's Lane and Eugene. For ex parte I am neighbors and friends with Peter Zurcher and Becky, and attended potluck before becoming commissioner but none after becoming

commissioner, I do hear updates from neighbors regularly. Also friends with opponent Kelley Morris and we talked about her opposition.

AB asked if you drew any conclusions.

MR: From beginning I was drawn to the concept. Watched documentary "Happy." Motivated by creating community and mitigating carbon emissions, and these themes were general conversation. In contact with Kelley Morris she explained she is not in favor of scale and perceived design as changing over time.

Sue Powers: no conflict of interest or bias but for ex parte drove by site and got appreciation for trees on the site and the nature of Eugene Street, a quiet dead end.

Mark Frost no conflict or bias. Ex parte drove down Eugene today and peaked over barrier to try to understand height difference between road and buildings. I don't think Building 1 is set down very far so interested in learning more about height but site seemed level in that area.

Bill Irving visited site, property was listed for sale, showed to prospective buyers years ago. Familiar with advertising for Adams Creek Cohousing. On board of Big River Community Land Trust and have had preliminary discussions about getting a unit or two to meet non-profit's goals, no financial interest. No bias or conflict.

Dan Kearns: non-profit connection OK.

Erica Price: No conflict, ex parte or bias.

Tina Lassen: muted

AB: No conflict, no bias, ex parte a party to this sent a letter regarding planning dept. staff deeming application complete, I was copied on the letter and it's not in the record. In role as local historian, quite familiar with history of this site and based on my understanding of early settlements in the area I will be asking if conditions adequately address following federal and state antiquities laws.

DN: TL lost from panelists.

AB: Can proceed but will need Tina's disclosures if she reconnects

TL: No conflict of bias. Did site visit on bike, had been on site before when it was previous owners' estate for a sale. Was interested in road network and wasn't sure condition of Hazel or new street. Hazel is like a gravel alley and the proposed Adams Creek road is very narrow, significantly narrower than Eugene.

AB: Would anyone in audience like to question commissioners, or challenge?

JSG: One hand went up and then went down.

AB: Any challenges? No.

AB: Would any commissioner like to challenge a commissioner? No.

AB: City attorney Dan Kearns?

DK: Brief comments regarding state law. Unusual to have stand alone site plan for “needed housing” under state law with no discretionary. Site plan looks at function and what it looks like. Criteria can’t be used to deny. It’s considered a limited land use decision, meaning limited discretion, so comprehensive plan is not a criterion. State law considers this “needed housing” and there has been a good deal of litigation over needed housing in recent years, and upshot is that local governments are prohibited from using discretionary criteria for needed housing, and cannot apply conditions that are not clear and objective, including discretionary design elements. Questions?

AB: If no discretion can be used, why is commission involved, why not staff only?

DK: It could be staff only but state law doesn’t prohibit commission from participating.

AB: Other questions?

DN: Code permits the use but allows director to refer it to the commission. Recognizing interest from neighbors, etc., I elevated to a commission review.

AB: Any other questions?

Bill Irving: Engineering and traffic requirements, how can they impact a finding. Some or quantitative but not driven by City.

DK: Very quantitative, trip generation and critical issues are affected intersections – do they have capacity. Typically that evaluation is done at time of zoning of land, then applications are reviewed to confirm if thresholds are met or if intersections will fail or if there are documented traffic safety hazards, crash rates over time.

BI: What about with regard to pedestrian access?

DK: Might be something in the code but typically not used for approval or denial. Typically look at vehicle trips, intersections and car crashes.

BI: Traffic impact could generate off-site improvements but not pedestrian?

DK: Off site improvements are challenging, constitutional, not attributable to a deficiency that it did not cause.

DN: City Engineer is attending tonight’s meeting and available.

AB: Other questions for DK who will be leaving soon? None.

AB: Based on experience running these meetings, would like to set the tone. Understand people are passionate about their neighborhoods. Commissioners need to be dispassionate. Testify on whether proposal meets or does not meet rules because that’s what the decision will be made on. Help us understand how your testimony relates to criteria. We have to act on the law rather than our opinions. Staff is monitoring for raised hands and will group comments. Need to hear your objectives and if others who haven’t signed up need to speak.

JSG: there is a hand raised.

AB: Allison McDonald, do you have a question?

Alison Bryan McDonald: what about protection of the stream?

AB: Can ask city attorney and staff.

DK: If it relates to clear and objective, non-discretionary, compliance with local Goal 5 inventory are not discretionary. Needed housing rules still apply – the type of development. A discretionary criterion for example would be “consistent with character of neighborhood.” A stream regulation will not be discretionary that way.

Mark Zanmiller: Dan mentioned needed housing – does that imply income?

DK: Doesn't have anything to do with income. Defined broadly to mean housing types needed to meet needs in a UGB at particular prices and heights to meet needs, attached and detached, for owners and renters. All these are needed under the City's comp plan without reference to income level. Affordable housing might be a category of needed housing. This is attached single-family so it is needed.

AB: If in Housing Needs Analysis?

DK: Yes, needed housing.

DN: Counsel is reading from ORS 303 and 307.

DK: And Goal 10, 660...

MZ: OK.

AJ Kitt: Regarding off-site improvements, conditions include off-site sidewalk requirement.

DK: As a general matter, off-site improvements are subject to constitutional requirements. If this development can't be served by pedestrian access for example, City can require completion of connections though need to go through analysis. Off site intersection or new street would not be allowed due to constitutional issues.

AB: Proportionate shares?

DK: Akin to SDCs, charges imposed legislatively and it has been determined there is a direct causal connection. This is an exception.

AJK: OK.

AB: Other questions? No.

AB: Staff report.

JBK: Highlights and recap of staff report. Zoned R-3, High Density. Proposal is multi-family, operated as cohousing. Use is permitted but given interest review was elevated to the commission. Issues to highlight include questions about application completeness. As explained in staff report, state statute requires that if the applicant decides they're not interested in providing additional information, staff is obligated to review based on the information provided. Neighbors raised concerns and in some cases staff has no way to address with conditions such as parking for guests. There are many sections of code that are applicable including 17.03.030, 17.04, 17.16.040, 17.17, 17.20, 17.22. In addition, procedural requirements are in 17.09 for quasi-judicial actions. These were reviewed and addressed in findings.

Will focus on the Site Plan Review criteria. The first addresses natural features. There is a stream, three identified wetlands and seeps, steep slopes, numerous native trees that are considered significant. Applicant provided design that preserves features to the extent feasible. Staff report includes conditions of approval to address issues such as tree protection, grading and to remove invasive vegetation which has already begun. Second criterion relates to grading. Adams Creek is part of City's public storm drainage system. Engineering Dept. provided comments and recommended conditions of approval. The applicant needs to demonstrate there is no adverse effect on neighboring properties and stormwater system. The applicant's stormwater plan is preliminary and we may need to discuss further tonight. Third criterion relates to adequate public facilities to serve the project including streets and utilities, sidewalks. Engineering Dept. provided comments regarding utilities, easements, proportionate shares, sidewalk improvements. Conditions of approval related to some of these public facilities are recommended including additional right-of-way dedication along Sherman Ave. and Adams Creek Place, and frontage improvements on Sherman and Adams Creek Place, proportionate shares at five intersections, and sidewalk improvements. All conditions relate to code provisions. Fourth criterion relates to traffic analysis and report addresses traffic study requirements, access to the site from Eugene rather than Sherman based on street classifications to provide better mobility. Code minimizes number of driveways on Collector streets and increases spacing. Condition of approval recommended to prohibit vehicular access via existing driveway on Sherman Ave. Other criteria relate to outdoor storage and mechanical equipment. There is a design criterion with clear and objective standards. A standard prohibiting uninterrupted façade for at least 100 feet is addressed with a condition. Pedestrian linkage to peripheral streets is basis for sidewalk requirement on Eugene and for a connection at southwest corner of site to Andy's Way, middle school, aquatic center and Jackson Park. Block length standards are not met on this block so a pedestrian connection can address based on HRMC 17.20.030. Page 37 of staff report addresses driveway on Sherman Ave., suggesting bollards or some other limitation. Wetlands and stream protection have been addressed. At time of pre-application conference staff recommended wetland delineation which is included in the packet, and Department of State Lands concurred with delineation. City does not require a buffer for wetlands even when deemed significant, or a buffer for streams that are not fish bearing including Adams Creek. Comment was submitted noting a plan shows a sewer line through a seep but applicant makes case they are not impact any streams or wetlands but may want to ask for clarification tonight. City does not add any restrictions or buffers on this site but state requirements permits for impacts greater than 50 cubic feet for waters of the state. To recap staff report, applicant is proposing 25 dwelling units in three buildings with additional accessory buildings. It is a permitted use and the proposed density is not at the maximum. Proposed density is comparable to Katie's Lane PUD to the south. As noted earlier, City has documented a deficiency is available multi-family housing. Conditions of approval are recommended that staff believes are necessary to meet standards despite needed housing. This site is complicated compared to a flat site with no water or mature trees so there are a number of conditions. Engineering Department raised concerns about the preliminary stormwater plan and whether it can meet the code to have no adverse impact on public stormwater system or neighboring properties. Staff requested additional information but did not receive anything more than verbal assurances. Commission can consider requesting a revised preliminary stormwater plan that demonstrates project conceptually meets code. Unknown if there will need to be changes to site layout to meet stormwater requirements. Commission could alter conditions to ensure that, if there are significant changes to the site, that the layout may need to be reviewed again.

AB: Will now allow commissioners to ask questions but not yet deliberating.

Mark Frost: Question about compatibility which isn't really addressed in the port. Can you explain?

JBK: City used to have a compatibility criterion but years ago code was updated to remove that discretionary standard. It was not addressed explicitly in the staff report. This is a significant change to the site and for the neighbors, however, Local Streets are designed to accommodate up to 1,200 trips per day and this development does not exceed that threshold. You may hear testimony regarding compatibility.

Bill Irving: The traffic analysis was performed based on potential of the project but what about during construction?

JBK: Engineering Dept.

Stoner Bell: Criteria for construction are more about noise and time of day. Also have a state permit for erosion control, but not really a criterion for truck traffic. Typically there is a mobilization and then construction equipment remains on site until homes are constructed and there is more traffic from contractors.

BI: My experience that there are a lot of contractors working on two homes near me. Is there any requirement to try to keep construction vehicles on site vs. off site?

Stoner: Looks like there is an opportunity to do that on this site in the parking lot area. Not sure about our legal ability to condition that.

JBK: We should hear from the applicant.

Sue Powers: what is ingress/egress from Eugene and at what point do housing development need to have more than one point of access? Separately, on wetland delineation, the state concurred but what makes a wetland significant? These are not significant?

JBK: Applicant addressed. Significance is addressed in Oregon Administrative Rules. Wetland specialist determined not significant. Not sure of answer to first question.

Stoner: Wetland flora and soil types are important. Regarding streets?

Sue: Access requirements?

Stoner: Two points of access typically addressed in fire code and I don't believe this development is at that size.

AB: Any other questions from commissioners?

Megan Ramey: Why did staff recommend wetland delineation at pre-application conference? Are there other areas where applicant has exceed requirements?

JBK: I believe Oregon Department of State Lands required wetland delineation. No known excess of requirements.

Megan: Was connection to Katie's Lane needed to meet a requirement from the Transportation System Plan?

JBK: Will need to get back to you.

AB: Other questions?

AB: Jennifer stated that density is similar to Katie's Lane. How measured? Units per acre?

JBK: Yes, the proposed 25 or 26 units on 2.36 acres is 10.6 or 11 units per acre. Katie's Lane is 23 units on 2.2 acres of 10.5 units per acre.

AB: Saw comment about R-3 next to R-1 is an anomaly. Is that the case? Is there any special treatment when R-3 borders R-1?

JBK: No special treatment. There are other places in town where R-3 borders R-1. No specific transition requirements.

AB: Spoke with Dan Kearns about stormwater plan. Staff proposes requirement to that development doesn't move forward before submitting acceptable plans. If we allow them to move forward, does Engineering Dept. believe it's feasible to resolve stormwater requirements in this site plan.

JBK: City will not issue permits for construction site or other until standards are met. Question is when applicant provides final stormwater plan, will that result in significant changes to site layout we see tonight. Not sure.

AB: Understand but city attorney addressed feasibility.

JBK: There is uncertainty.

Stoner: Staff had concerns about plaza section and expressed in written comments, met with applicant's engineer who assured us it can be done verbally. But, explanation based on method that is not consistent with plan so recommended showing calculations but Engineering Department is still concerned about feasibility, with respect to mitigating plaza area without changing the design.

AB: Is there a standard that requirements compliance with state and federal antiquities protections during construction?

JBK: No, not typically included but could as a remainder that applicant is subject to such state and federal law.

AB: Any other questions?

Megan Ramey: The bike boulevard is from County Building on 6th & State, up Serpentine, then Eugene, then Park, Montello, Katie's Lane, and through middle school. Was that neighborway or bike boulevard a consideration and could it be a multi-use path?

AB: Any other questions? None.

AB: OK, time to hear from applicant.

AB: I see a hand is raised.

JSG: Seth Moran.

Seth Moran, architect for applicant and ready for presentation.

JSG: Have visual?

Seth: Yes.

JSG: Promoted you as a panelist, can share your screen.

Seth: Can see slide and hear me?

AB: Yes.

Seth: Introduced himself and provided presentation. Outside of procedural issues and criteria, fabric of community.

JSG: Added Jim Miller, 724 Prospect, founder of Adams Creek Cohousing.

Jim Miller: Provided background of origin of project and how it gathered momentum in the community. There was a struggle to find land. Problem always was zoning. Needed R-3. Akiyama property became available after a couple of years. Thousands of hours have been put into the project to get it to this point. Explained concept of cohousing and values. Community based project does not have a profit motive, so 55% of the land is reserved for green space. By placing parking next to existing street, must less pavement. Many reasons to support cohousing, including diversifying housing stock.

Seth: Narrated slide presentation showing site, connections to streets, alleys. R-3 Zoning establishes criteria. Sherman Ave. is a Collector Street and Eugene is a Local Street, and staff report explains why access is not permitted on Sherman. Roughly forty feet of elevation change from Sherman to Eugene. Tree density provides shading on creek and a buffer from properties to east. Color coded diagram of site depicts property line, creek location, areas shaded green are steep, pink represents needed easement areas, leaves less than half of site as a low impact zone for smart development and much of this area already cleared of trees. Perceived conflict between allowed multi-family housing and natural features and neighboring owners. Proposed site plan shows where traffic enters from Eugene St. to the parking area on southwest portion of site. Three primary buildings in blue. Building 1 is three stories with 15 units, Building 2 is two stories with four units, and Building 3 is two stories with 10 units. Recreation building for bike storage, gardening, waste receptacles. Heart of the community is the common house which allows residents to downsize their homes. Renderings illustrate qualities such as color that are not part of this review process, showing view from a drone at northeast portion of site. Reviewed decision criteria for Site Plan Review that are in addition to zoning standards. Staff report takes no issue with how these criteria have been addressed. Public facilities include utilities, fire department access, streets and sidewalks. City requested sidewalk along north side of Eugene. Property dedication for roadway and sidewalk, and new easement for water loop connection to Sherman Ave. Understand concerns with car trips. Traffic impact letter was provided and Eugene does have adequate capacity. Rain is to be collected in two facilities, slowed down and released to Adams Creek. Regarding feasibility, most jurisdictions request conceptual level of engineering for a site plan review. Project engineer discussed with city engineer and has confidence that any adjustments needed will not require significant changes. For example, additional detention capacity can be placed underground. Protecting natural features is not just a City criterion, it's a value of the development. Commitment to stewardship, restore habitat. R-3 Zone accommodates far more development than area required for landscaping. Multi-story buildings have many benefits including building community through on-site walkway. Equally important are public sidewalks. Connection to Andy's Way and the

middle school. Staff was clear that it wanted connection but also heard concerns from neighbors to south. Applicant requests commissions' feedback on whether to include this connection. Has grade difference of five or six feet from parking area. Other key criteria address placement of parking and orientation, which we have met. Slide shows existing home on Eugene at higher elevation than proposed carport. Slide shows three story Building 1 and existing home to west. Understand concern but right-of-way width is increasing, and vegetated buffer is also proposed. Maximum building heights include 28 feet for single-family and 35 feet for multi-family. With slope of site, there is about 5 or 6 feet of height difference. Staff report addresses compliance with design criteria, and additional slides were presented to depict proposed building elevations. We acknowledge frustration from neighbors but many comments are outside purview of this process. Adams Creek Cohousing reflects smart, multi-family, needed housing.

AB: Questions by commissioners of applicant?

Bill Irving: Adams Creek Place doesn't go through, what vehicular usage is anticipated?

Seth: It is a necessity based on Fire Department access. We would love to reduce to a fire lane or woonerf but after triggering certain criteria City standards require certain improvements. City Engineer may be able to address. Have heard many concerns including at 1421 Sherman regarding unintended consequences. Would love to submit a design exception and reduce width based on minimal use.

Bill: There was a slide on pedestrian access to Andy's Way. Looked at County GIS map and seems connection would be straight into a parking area.

Seth: We understood requirement or request for the connection at the pre-application conference, but heard concerns from neighbors and submitted request without the connection. Would need retaining walls, steps to make grade change in the right location.

Bill: Gravel driveway extension off Adams Creek Place?

Seth: Acknowledges 20-foot water easement, a no build zone and City needs vehicular access to service the public water line that will be underground. Could be other material than gravel.

Tina Lassen: Regarding connectivity to site to community, if there are kids on Sherman trying to get to middle school, is this public access through the site? Will regulations in the community mark these are private only?

Seth: It would be similar to Andy's Way which is private property but there is no fencing or gating to prohibit connections.

Jim: Intent to not to have a gated community. As long as pedestrian meets community values, they're welcome.

TL: It's going to become a natural place for pedestrians so just looking for clarification.

Jim Miller: Planned to post this is private property but visitors welcome, please treat it with respect.

TL: What are pathways made of? Asphalt?

Seth: Mix of asphalt, concrete, limited gravel or compressed rock with approval from City Engineer such as tandem parking spaces if possible.

Sue Powers: Stormwater drainage from parking area designed to accommodate 25 year event. Is that the minimum?

Seth: Stoner?

Stoner Bell: Based on City Engineering standards which are based on code. 25 year event is common throughout Oregon. There are several events including two, 10 and 25 year events. Beyond that looking to avoid overflows that would result in property damage. Common risk tolerance vs. cost.

Sue: Did you say Andy's Way connection exists?

Seth: There is a dirt path through brambles.

Sue: You mentioned a soft wall between existing home and carport. Is that a hedge?

Seth: Could be sight obscuring hedge.

Sue: Not a concrete wall?

Seth: No.

Bill Irving: Building Design and plan sheets PRA1.2 and 1.7. Is the carport enclosed?

Seth: Intended to be combination of carport shade only and some private two-car garages.

Bill: Criterion for uninterrupted facades exceeding 100 feet.

Seth: Difference between carport and garages, and step in elevation would break it up but this could be a point of clarification with staff if other changes are needed.

AB: Any other questions of applicant? None.

AB: Do we need a brief recess before testimony?

AB: Five minute recess, return at 7:56pm.

AB: Return at 7:57pm

AB: Will now take proponent testimony. Have 16 people on list, plus five opponents, no neutral. Three minute time limit, avoid repetition, focus on approval criteria. Already read your written submittals. Any concerns from commissioners? No concerns expressed by commissioners.

AB: Nancy Roach?

DN: Please request name and address.

Nancy Roach, Greg Crafts, 2 Eugene Street. Greg has been involved in innovative housing in Hood River including Katie's Lane and McKinley Court. Those proposals increased housing density and were controversial, and not all had garages. At this time, most people see them as a community benefit. Because we proposed something different, we were accused of doing something illegal and that was hard. Adams Creek Cohousing has similar goals and they're prepared to spend their own money to help community. This is not for profit. We understand neighborhood concerns. Living through construction is hard. We believe this development will be a benefit to the Hood River.

Alison Bryan McDonald: On mute.

Heather Staten, Thrive Hood River, PO Box 1544, Hood River. City has done extensive work on housing including Housing Needs Analysis. This project is needed housing. Concerns tonight are about code and criteria. Jim Miller reminded us that housing is about people and community, and they have proposed to respect the site and build a lot of transportation infrastructure at a very high cost. Some of these projects are on City's project list and developer is agreeing to make the improvements. Encourage approval.

Nashira Reisch, 724 Prospect Ave. in Hood River. Will shorten testimony and submit in a letter. Requesting record be left open. Noted the organizations that Adams Creek Cohousing member participate in. Looking forward to future collaborations. Understand neighbors' concerns. Many of the changes we wanted to make were not possible due to code constraints, but look forward to working with the neighbors. Retract request to leave record open.

AB: That's OK. Anybody has right to request seven day extension to submit written comments and, if that's done, will need to deliberate on September 26.

John Boonstra, 1002 Cascade Ave., Hood River. Fourteen year resident of Hood River and member of Adams Creek Cohousing. Explained why it's important for the project to be approved including energy efficiency, sustainability, restoration. Please approve.

~8:12pm: Marilyn Kakudo, speaking also on behalf of Margaret Tumas, 820 SW Stratton, White Salmon, WA. Support proposal, multi-generational housing. Members have been removing invasive vegetation and there is a strong desire to participate in the neighborhood. Looking into a car-sharing program.

Rebecca Rawson, 1268 Rawson Rd., Hood River. Thirty-one year resident of Hood River. The City Council's 2020 Goals are 100% aligned with Adams Creek Cohousing.

Paul Hoffman, 1328? Cascade Ave, Hood River. Moved to Hood River with family four years ago and bought a home. Support the Cohousing group's goals and decided to attend an open house, then to become members.

Becky Montgomery for Heidi Venture,

Becky Montgomery, 1956 Belmont Ave., Hood River. Member of Adams Creek Cohousing for four years and am reading a statement from a neighbor, Heidi Venture, 713 Katie's Lane, in support the proposal. Request that you follow the codes and act in fairness. It is private property and will become a center of community.

Jack Lerner, 6465 Trout Creek Ridge Rd., Parkdale. One of original members of the cohousing group and have made significant investment. Community has been efforts to meet the City's values because we share those values. Not trying to maximize profits.

Milt Markewitz, 1950 Sterling Place, Apt. 212, Hood River. Relatively new to Hood River. Anticipate upcoming challenges and looking forward to working with this group.

Patrick Rawson, nothing to add. Thank you.

Donna McCoy, 1506 Belmont Dr., Hood River. Resident of Hood River for 15 years, have visited for nearly 30 years, family lives here too. Cohousing provides options for different stages in lives.

Kathleen Patton, 1645 24th Ave, Longview, WA. Thank you. Agree with previous speakers. It is impressive to see the creek emerge from blackberries and ivy, and it's happening because people want to make it happen.

Peter Zurcher, 1956 Belmont Ave., Hood River. Have been involved in project for four years. I agree with previous testimony and this is an important project to meet housing needs.

Tarah Holden: I don't need to speak.

AB: Alison McDonald?

AB: Any other people in favor of the application who wish to speak?

AB: No other proponents. Does anyone wish to speak as a neutral party?

JSG: None.

AB: Opponent testimony next. We have reviewed the written testimony. Concern with allowing Dan Bell to submit testimony for another party.

Dan Bell: Didn't Heidi Venture get to do that?

AB: No, because Becky Montgomery spoke only for Heidi Venture.

Dan Bell, 1509 Eugene St. During hearing have seen about three cars go by. Thanks to those who visited our neighborhood today. Direct you to written testimony, pg. 140 of attachment 3. Question is clear. Application was deemed complete without notifying neighbors. That was incorrect. What was delivered tonight is an incomplete application. They can't address wetland, stormwater or address recommended conditions such as path to Andy's Way. Stormwater pipe is directed into a wetland and impacting the creek. While applicant had a right, the planning dept. did not have a requirement to call it complete. Seventy two conditions indicate this is an unusual plan. Approving all of these details later cuts us out of the public process. There was a laundromat at 13th & State that received water from this site.

AB: Can you repeat reference?

Dan Bell: A-26, page 140 of attachment 3. Is the application complete and ready for a decision? We heard from the City Engineer that there are unresolved issues.

Heather Hendrixson, 1509 Eugene St., Hood River, OR. Urge you to deny the application. Serious concerns about streams and wetlands that the development threatens. Tree removal and impact on creek temperatures. Stormwater pipe directed to a wetland conflicts with statements from the group. Page C-9 shows sewer line beneath a wetland, should be rerouted. Neighborway not included on newest design maps, not clear if there's room. There is a wall along the west side of the carport. Strongly suggested a geotechnical analysis due to groundwater. Wetland not deemed significant because this isn't a fish-bearing stream. No solar panels on buildings, how does that affect building height? Need an easement for jog in sidewalk.

Mark Zanmiller, 1421 Sherman Ave., Hood River. Neighboring house to the west. Not opposed to cohousing but have concerns with design. Written comments relate to staff report and conclusions. Can request seven day extension to provide connections to May comments. Difficult to review with limited details. Seventy two conditions will be difficult for staff. Three-story building out of scale with the neighborhood and we should try to address so prevent problems with infill in the future. If Buildings 2 and 3 were three stories, all structures would be about the same height. Sidewalk on Eugene is hurtful to the neighborhood. What about a walking path along the Hazel alley as an alternative? Request seven day extension to further tie my comments to the planning report.

AB: That's a formal request to leave record open so seven days available for additional testimony.

AJ Kitt, 1420 and 1422 Eugene St. (where parents live), Hood River. Request leave record open for seven days. 100% of access is on Eugene. R-3 use in R-1 neighborhood. There may be other neighborhoods will similar zoning but not similar density. Project covers 19,000-square feet of site next to a home on a 13,000-square foot lot next door, a massive differential in scale. Significantly larger building footprint than other residential buildings in Hood River. Events are anticipated without parking. Other condo developments in Hood River have more parking. Topography is challenging, there is no option to use it so buildings and parking need to be crammed in one spot. Most burdensome attributes affect R-1 neighbors. Pivotal land use application. This is not fully vetted. Request additional information be submitted. Not opposed to development.

AB: Any other opponents?

Jason Barker, 709 Katie's Lane, Hood River. Speaking on behalf of board and HOA with respect to passageway. HRMC 17.20.030(B.4). This is a private street. Disappointed no outreach to HOA. Did speak with Commissioner Ramey about it a long time ago and expressed liability concerns as an attorney. There are other ways to get to pool and middle school. Requirements for providing a submittal?

AB: Staff understand?

JBK: Yes.

Jason Barker: Will put it in writing to extent required.

Kelley Morris, 603 Andy's Way, Hood River. Directly border the cohousing project. Consider negative impacts including my home. Concerned with misrepresentations of several single story structures and one common house. This is a far departure from the original presentation. Concerns with green space and wetland impact. Environmental study should be conducted. Seventy two conditions is a concern. Noise and light pollution from 185 trips per day, with vehicles parking about 10 feet from my house and there has been no proposed mitigation. Will decrease property values. This is not a responsible use of the site. Request more a responsible development strategy.

Dan Bell, reiterate request to keep record open on grounds that applicant showed us maps that we haven't seen before tonight and they should be made available. For example, retaining wall plan shown tonight, and diagram of plans with wetlands and overlays.

AB: You want to see copy of slide presentation?

Dan Bell: Yes, and seven days to respond.

JBK: We will need the presentation for the public record.

AB: Anyone else who wishes to speak in opposition?

JSG: No additional hands raised.

AB: Heard from applicant, proponents and opponents, and had a request to keep record open. So no need for rebuttal tonight?

DN: Correct, new evidence may be submitted for seven days. Then, will have seven days to review that evidence. Then, the applicant is given seven days to rebut.

AB: What about applicant's verbal rebuttal?

DN: Because there will be more evidence, the rebuttal will occur later.

AB: Record open for submittals. Will start next hearing with rebuttal from applicant and final comments from staff before deliberation.

AB: Commissioners OK with opening record for seven days. Next available hearing date is September 21, correct?

DN: Yes.

AB: Any time concerns?

DN: Seven days of information from all sides, then seven days to review.

AB: Need today's presentation before starting the seven-day clock. Can staff get that out tomorrow?

JBK: Suggest leave record open to end of business on August 25, then review by September 1, then final applicant's rebuttal by September 8.

Dan Kearns: Seven, seven, seven is common for open records. Opponents to get the last word on evidence but the applicant gets final word on argument. Applicant gets seven days after record closes to everyone else and we can ask them for oral testimony if they'd like. Recommend oral rebuttal from applicant now.

AB: Repeated dates. Motion?

Bill I. Move to follow schedule that was just outlined.

Erica Price: 2nd motion

AB: Repeats motion with dates for submittal of additional evidence, review and rebuttal. Discussion? None?

AB: Any opposed? No. Consensus to use that schedule. Staff will post on website and applicant will provide slide presentation by noon tomorrow.

JBK: Hand raised in audience.

AB: Questions?

Anne Meadows: Will applicant be allowed an opportunity for oral rebuttal in a future hearing?

AB: Dan, what should I do?

Dan: Ask applicant if they'd like to rebut.

JBK: I also can answer questions if you'd like.

AB: Haven't yet continued. So, is commission OK with oral rebuttal from applicant now and clarifications from staff?

Mark Frost: Now?

AB: Yes, verbal rebuttal now if applicant wishes and written rebuttal later.

Seth Moran: Applicant would like to rebut at hearing on September 21 instead of speaking tonight.

AB: Let's take the second question.

Dan Bell: If there is going to be rebuttal, recommend it comes from applicant or applicant's engineer not proponents.

AB: We allow applicant to rebut and it's their choice who speaks.

AB: Asked commissioner if applicant can make verbal rebuttal at second hearing. I recommend verbal tonight and written testimony going forward. Up to the commission.

AB: If nobody speaks, the way we left it was to accept only written information after tonight, and applicant can do verbal rebuttal tonight.

Mark Frost: There were a number of issues raised tonight, and there may be more upcoming.

AB: Uncomfortable allowing applicant to speak without others speaking at a future hearing. Difficult to prepare and deliberate if new information is presented on September 21.

Bill Irving: Does applicant expect to submit additional information that we haven't yet seen?

Dan Kearns: state law allows new evidence to be submitted when record is open but not at time of final verbal rebuttal. I wouldn't recommend having applicant's engineer speak at next hearing.

AB: What would commission like to do? Move to allow verbal rebuttal?

Bill: Move to take verbal rebuttal tonight.

Megan Ramey: Prefer original motion for seven, seven, seven.

AB: Bill is suggesting taking verbal rebuttal from applicant tonight rather than on September 21.

Erica Price: It's late, can we postpone?

Mark Frost: Move to allow applicant's verbal rebuttal at next hearing on September 21.

Megan: Second motion.

AB: Discussion?

Bill: Not sure what is consequence.

AB: Was trying to avoid oral testimony at a future meeting where new information might be submitted.

AB: Those in favor of motion?

AB: Mark, Tina, Megan and Erica in favor. Motion passes.

AB: OK, so applicant will give verbal rebuttal on September 21, it must be argument only, not new evidence.

AB: OK to wait for staff until September 21? No comments.

AB: OK to recess until September 21 as discussed?

Commission: Yes.

IV. Adjourn

AB meeting adjourned at 9:30 pm.



Oct, 21, 2021

Mark Frost, Chair

Date



Oct. 21, 2021

Dustin Nilsen, Planning Director

Date (Approved)