

**City of Condon Planning Commission  
Minutes/Public Hearing  
Tuesday, November 15, 2016 ~ 6 p.m.**

Present:	Staff Present:
Vernon Grey Betsy Pattee Larry Hardie	Kathryn Greiner, City Administrator Nick Kraemer, City Contract Planner

Absent:
None

**CALL TO ORDER**

The Planning Commission meeting was called to order by Chairman Larry Hardie at 6: 06 p.m. Roll Call was taken and a quorum was noted.

**PLANNING HEARING – Condon Child Care – Conditional Use Permit & Site Plan Review**

**Open the Hearing** – Chairman Hardie opened the hearing at 6:06 p.m.

**Qualifications of Commissioners** – Commissioner Vernon Grey stated that he had assisted with the design and had a conflict of interest. He did state that he could make an unbiased decision. No one from the audience challenged Commissioner Grey’s qualifications. No other commissioner had ex parte contact or any bias toward the application.

**Chairman statement** - Chairman Hardie stated that Oregon State Law requires that all issues must be raised to be appealed and failure to raise an issue at this hearing would invalidate further appeal. He also stated the rules of the hearing.

**Staff Report** - Commissioners waived the full reading of the staff report and CA Greiner read the proposed conditions of approval. Several of the conditions in the staff report required a landscaping plan that was submitted by Condon Child Care prior to the hearing.

**Proponents** - Jennifer Bold, executive director of Condon Child Care, Condon stated that the plan started 10 years ago to build their own facility but support was not enough to move forward at that time. In 2014 the Center started to look at properties since they had outgrown the facility at Condon Grade School, and purchased property near the high school. The project is estimated to cost approximately \$800,000 and funding has been received or applied for in the amount of \$1.4 million. A portion of the northwest corner of the property will not be developed at this time. She stated that the landscaping will consist of river rock, bunch grass, playground material and some grass.

Planner Nick Kraemer stated that storm water must be managed onsite and cannot be sheeted off on the street. There are no city storm drains near the property for disposal. Kraemer suggested that on the conditions that address storm water must be submitted to the city and reviewed and approved by the city's engineers. He also discussed that the fence height of 4 feet could be raised to keep deer out but no lower than the 4 feet height. Kraemer also noted that their application did not address signage and stated that all signs must go through the city code and process.

The conditions for approval as amended included:

- Storm water run-off from the site shall be maintained on-site with plans to be reviewed and approved by City of Condon's Engineer of Record.
- If there are proposed outside play areas – they should be screened with vegetation in a fence no less than four feet to reduce impacts on neighboring properties and fenced for safety.
- No signs are proposed with this application and any additional signage must be applied for separately with the City.

Alecia Walrath, 520 S. Washington, Condon – stated that she was in favor of the project but would like to see a stop sign on the corner of Court and Washington. She was referred to Condon City Council as the decision makers of placement of traffic signs.

Steve Watson, 503 S. Washington, Condon – stated that he was in support of the project but complained of the fire hazard of the condition of property adjoining the proposed center and his property made it susceptible to fire danger. The property is owned by John Reser. Kraemer stated that this is a nuisance issue. CA Greiner asked if this was a formal complaint, with Watson stating it was, so this will be forwarded to Condon Police Chief Dale Scobert.

**Other testimony – None**

**Hearing closed at 6:26 p.m.**

Commissioner Betsy Pattee said that this was a needed project and a great addition to the community.

**A motion was made by Councilor Betsy Pattee to approve the Conditional Use Permit and Site Plan for Condon Child Care with the conditions as stated. The motion was seconded by Commissioner Vernon Grey and approved unanimously.**

**PUBLIC HEARING – Gilliam County Soil & Water Conservation District – Site Plan and Historical District Reviews**

**Qualifications of Commissioners** – No Commissioners had ex parte contact, conflict of interest or a bias of this project. None of the audience challenged the qualifications of the commissioners.

**Chairman statement** - Chairman Hardie stated that Oregon State Law requires that all issues must be raised to be appealed and failure to raise an issue at this hearing would invalidate further appeal. He also stated the rules of the hearing.

**Staff Report** - Commissioners waived the full reading of the staff report and CA Greiner read the proposed conditions of approval. Kraemer questioned the applicant on several of the conditions and noted that their storm water plan must be reviewed by the city's Engineer of

Record; sidewalk, due to terrain, must be on Main Street and to mid-tax line on Summit Street; and that no half street improvements are required on Summit and Ward Streets. There were colors presented by the applicant that followed closely to colors selected by the city's historic review committee person Sandra Harris. The applicant asked to use their colors that were closer to browns than the greens Harris selected. Kraemer also asked the applicant about the garbage bin design appeared to be in the open near Main Street; asked the intention of the portion of the lot that is undeveloped and if half street improvements would be required.

Conditions for approval include:

- The parking area must be durable and dustless surface. In addition, the parking area must include a bumper rail or curb to separate the driving areas from landscaping and pedestrian areas.
- The parking area shall have durable and dustless surfaces that are adequately maintained.
- Applicant must follow all state and federal guidelines regarding any discovery of cultural resources or archeological sites.
- Grading – any areas of site grading should be replanted to prevent erosion and measures should be taken to avoid impacts from dust to neighboring property owners during construction.
- Storm water management for the parking areas must meet city standards. The storm water must not impact neighboring properties and must be reviewed by the City's Engineer of Record.
- A vision clearance area shall be maintained at the corner of Main and Summit Streets.
- If large amounts of outdoor storage become part of the use of the property, the city can require sufficient screening to be installed.
- Sidewalks shall be required on Main Street and half on E. Summit Street from Main to tax lot line and must accommodate drive approaches that meet City and ADA standards.
- No signs are proposed with this application and any additional signage must be applied for separately with the City. Any signage must meet the guidelines of the Condon Commercial Historic District.

**Proponent** - Sandy McKay, GC SWCD District Manager, 333 S. Main Street, Condon – reported that GC SWCD were continuing the “good work” of the City of Condon when they purchased the property to redevelop a former contaminated site. He also noted that this is the first new construction in the Historic District of Condon in decades and they designed it to match other building's in Condon Historic District. Ian Schmidt, Pinnacle Architecture, Inc for applicant said that the trash enclosure on the design is behind a brick wall and will not be visible from Main Street and that the colors complemented Harris' colors. McKay said that the undeveloped portion has been discussed to either sell to another person or use for their organization, but they did not have the budget to develop it at this time. He said that they intent to gravel that portion of the lot and keep it weed-free. Chairman Hardie asked the number of employees in the building with McKay stating 11 now, but there is room for several more. McKay also said that they will spackle and paint the wall of property owned by Pat Sweeney.

**Hearing was closed at 6:50 p.m.**

**Motion was made by Commissioner Grey to approve the Gilliam County Soil & Water Conservation District's Site Plan Review & Historic District Review, and the colors submitted by applicant. The motion was seconded by Commissioner Pattee and approved unanimously.**

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**MINUTES**

**A motion was made by Commissioner Grey to approve the September 22, 2015 Planning Commission minutes. The motion was seconded by Commissioner Pattee and approved unanimously.**

**CORRESPONDENCE/OTHER**

CA Greiner asked to discuss a landowner’s request to build an accessory building under 200 square feet on their property that is outside of the lines indicating the flood plain but on property that is partially in the flood plain. She had discussed this with Kraemer earlier and city attorney Wyatt Baum, and since the city has required development permits for all structures there was not an exclusion for smaller buildings constructed on the “high ground” of the property that they would have to abide by the flood plain ordinance. Kraemer stated that he had samples of construction of small buildings on “high ground” in county building codes and would supply them to the council for review.

Commissioner Grey asked about allowing accessory buildings that would match the primary structure peak that would exceed the 14 foot peak height in Condon’s code and asked how that may be changed. It was discussed that the height of the accessory should not be higher than the primary structure but may raise the accessory height to 16 feet. Kraemer will get sample ordinances for this change to the code.

CA Greiner asked that she has received a question regarding “park model” or tiny houses on city lots. Kraemer said that this has been a daily question and that if they are built on a trailer they would be approved as an RV and must be in an RV park. He said that according to Condon’s code if it is a manufactured home it must be no less than 1,000 square feet and must be in multiple pieces so if it came in stamped a manufactured home it must be within those requirements. You can have a smaller house on your property but if too small it does not meeting building codes. An example given by Kraemer was the distance of toilet from wall and sink that could not be met in a “tiny house”. CA Greiner asked about the concrete block buildings that have been brought in for the city park and golf course restrooms, and was told that they meet the building requirements and are stamped by the state of Oregon building codes making them legal. Kraemer will keep the commissioners apprised if any state changes occur that would change these rules.

**ADJOURN/NEXT MEETING DATE**

The meeting was adjourned 7:24 p.m. The next meeting date is Tuesday, December 20, 2016, 6 p.m. if necessary.

\_\_\_\_\_ Date \_\_\_\_\_  
Larry Hardie, Planning Commission Chair

Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
Kathryn Greiner, City Administrator