

CITY OF LA GRANDE

Planning Commission Meeting

Regular Session

March 14, 2023

6:00 p.m.

La Grande City Hall
1000 Adams Avenue

MINUTES

COMMISSIONERS PRESENT:

Liberty Avila, Chair
Ann Morrison, Vice Chair
Dave Felley
Matthew Gougherty
Roxie Ogilvie

STAFF PRESENT:

Michael Boquist, City Planner
Kendra VanCleave, Planning Secretary

CITIZENS PRESENT:

JB Brock
Logan McCrae
MBM Estates, LLC

CALL TO ORDER/ROLL CALL

AGENDA APPROVAL

CONSENT AGENDA

PUBLIC COMMENTS

NEW BUSINESS

PUBLIC HEARING

- a. Subdivision and Variance Permit
File Number: 01-SUB-23
02-VAR-23
MBM Estates, LLC

STAFF REPORT

COMMISSIONERS ABSENT:

DISCUSSION/DISPOSITION

AVILA, Chair, called this Regular Session of the Commission to order at 6:03 p.m. and conducted a Roll Call; a quorum was determined to be present.

The Agenda was approved as presented.

GOUGHERTY introduced the following Motion, with OGILVIE providing the Second.

MOTION: That the Consent Agenda be approved as presented for the February 14, 2023 meeting.

MSC: Unanimous
NONE

NONE

(PUBLIC HEARING OPENED 6:05 PM)

AVILA asked for the Rules of Order to be Read and asked for Commissioner declarations. There were none.

AVILA asked for the staff report.

BOQUIST stated the applicant is requesting Preliminary Plat Approval of a Subdivision that includes twenty-nine (29) lots with thirty-two (32) dwelling units.

To support the proposed subdivision, the applicant is also requesting four (4) variances from City standards:

1. On-street parking
2. Minimum lot size
3. Minimum residential density
4. Minimum building setbacks
5. Driveway Width and Separation (Needed, but Not Requested)

BOQUIST commented the development fits the residential market that the housing needs analysis identifies for lower/lower middle-income level. The developers will retain long term.

1. The properties are zoned High Density Residential (R-3), which allows a variety of dwelling types that include single-family, duplexes, tri-plex's and greater, apartment complexes, condominiums, etc.

LDC Section 2.2.006(A)

- The purpose of this zone is to provide higher concentrations of dwelling units.
- This zone is intended to implement the Comprehensive Plan designation of High-Density Residential land use of densities of eleven (11) or more dwelling units per acre

2. The development site is comprised of three (3) parcels (properties) that amount to a little over four (4) acres in size, and all of them being vacant/undeveloped.

3. For interpreting the density standard, "net" acreage is interpreted as:

- $(\text{gross acres}) - (\text{public street rights-of-way}) = (\text{net acres})$

4. The minimum residential density required for the proposed subdivision is 34 dwelling units, based on the following calculation:

- $(4.13 \text{ gross acres}) - (1.02 \text{ acres of public street ROW}) = (3.11 \text{ net acres})$
- $(3.11 \text{ net acres}) \times (11+ \text{ units/acre}) = (34.21+ \text{ dwelling units})$

BOQUIST continued that the Police Department and Public Works submitted comments.

1. The Police Department submitted a neutral comment, but raised concerns about the parking plan that eliminates on-street parking and relocates such parking to the private driveways of each parcel. Also, with the narrowing of the roadway will result in challenges with delivery and emergency vehicles with no area to park. Additionally, based on law enforcement it is expected that residents and guests will frequently violate the no parking within roadway and will likely increase

enforcement calls and they may be low priority calls due to more urgent, high priority calls.

2. Public Works commented there is a sewer main line easement extending through the southerly portion of the property, as written, includes a couple inaccuracies that need correction with a revised easement. The easement was written based on the actual construction location of the sewer line, but when constructed the mainline was not located in the center of the planned easement and as such the easement presents a greater encumbrance on the applicants' property than it was originally intended. To resolve, Public Works met with the applicant and all have agreed that it would be best interest to rewrite the easement to only contain the southernmost 30' of the property and remove the reference that is based on the location to the sewer main.

SUBDIVISION PRELIMINARY PLAT

BOQUIST continued that most of the Subdivision review criteria is met except for the below:

1. The property borders on 16th and 18th Street. The Public Works Director has identified 16th street is classified as a residential collector street and 18th street as a minor street. These classifications have different construction designs and are intended to function differently moving traffic.

For this development 16th street ROW is currently 60' wide and is sufficient ROW width to eventually be upgraded to full City collector street standards.

For 18th Street it is a 40' wide ROW and is an insufficient width to develop to the City's adopted 60' minor street design standards. To achieve a 60' wide ROW width it would include the dedication of 10' strip of land parallel with the 18th Street to be added to the 18th street public ROW. The applicant is willing to do the dedication of 10' which will require a variance of setbacks (**see Variance #2**)

2. The preliminary subdivision plat does not specify the widths of driveways, but the 1"=40' scale on the plat drawing all of the driveways measure 30'+ in width, exceeding the maximum allowed standard by 5'+. Also 3 of the lots have merged driveways, measuring over 60' in width, which exceed the maximum driveway width standard as well as not meeting the 15' driveway spacing standards. The standard has a limit of 25' feet and separated by a minimum 15'. This requires a driveway variance (**see Variance #5**)

VARIANCES

Based on the encumbrance of the sewer line easement granted to the City of La Grande along the southern border the applicant is asking for 4 variances based on topographical challenges.

Variance #1: On- Street Parking- proposing a 40' dedicated ROW and a 24' paved surface with no on street parking. Each parcel in addition to the covered parking requirement, proposing a 13 x 20' parking area per dwelling as well as additional parking submitted with the parking plan. Each parcel will be deed restricted. The proposal states there are more on-street parking offered than what off-street parking would offer.

Variance # 2: Building Setback- proposed to reduce front and rear setback from a 20' setback to a 10'. There is a deviation 15' is a standard setback for the main dwelling and 20' for garages. Due to the constraints on this property with the easement on the far South boundary, caused the property to get squished in lot sizes and requires a variance on the setbacks to make the houses fit on the lot.

Variance #3: Minimum Residential Density – proposing to vary slightly from the density standard with 32 dwelling units from the prescribed 34 dwellings

Variance #4: Lot Size – proposing some of the parcels be below the current minimum parcel size of 5,000 sq ft. The smallest parcel would be 3,100 sq ft with the largest being 6,400.

(Variance not requested by applicant, but may be necessary)

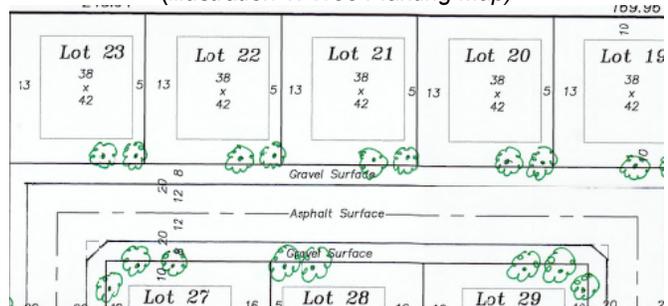
Variance #5: Maximum Driveway Width and Minimum Driveway Separation – proposing to exceed maximum driveway width from the 25' standard and remove driveway separation standard from 15'.

AVILA asked since the off-street parking was removed in order to put in bio-swales and comparing to surrounding developments (in the same zone) were there same issues with stormwater constraints. BOQUIST responded the code was changed a couple years ago to require the 36' wide street with two travel lanes and parking on both sides. Prior to that it was 32' with parking on one side requiring storm water drainage. The surrounding developments came in when the 32' code with parking on one side was in place and because of conflicts with 2 or 3 of those projects and people parking on both sides of the street,

the code is proposed to be changed to require street dedication. The storm management piece with other projects, some have done within the ROW putting in catch basins or bioswales. This project has sufficient ROW compared to other development if it is reduced to 24' and construct the bioswale on the shoulder to the street.

MORRISON asked to see the map on how the bioswale is laid out. BOQUIST showed the tree planting map.

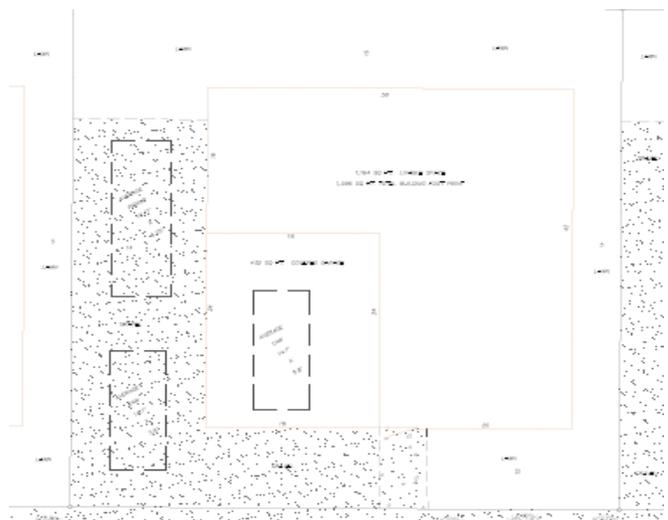
(illustration 1: Tree Planting Map)



MORRISON commented it doesn't seem a 2nd car could be accommodated. The driveway is widened 5' wider than the 25' standard. Logan MCCRAE responded they didn't know there was a 25' standard and since then talked to the Public Works Director about the driveway and he indicated no problem.

MORRISON asked to see the footprint plan which shows how the layout works.

(Illustration 2: footprint layout plan)



OGILVE asked if the homes are 2- or 2-bedrooms houses. MCCRAE responded most likely see a mix in

both. The footprint plan outlines the buildable area is about 1596 sq ft, which includes about 300 sq ft for the garage and about 120 sq ft outdoor living space. The houses will either be a small 3-bedroom, 2 bath house or a big 2-bedroom, 2 bath house. OGILVIE asked for clarification on the off-street parking spots. MCCRAE asked to show the parking plan.

(Illustration 3: parking plan)



MCCRAE responded they meet the minimum requirement for 1 space per dwelling including the covered parking in garage. They are proposing an additional 13 x 20 parking area per dwelling in perpetuity as well as additional parking places identified in the parking plan. Additionally, with concerns about the emergency vehicles, garbage and parking on both sides when they shouldn't be, the proposal is for a 24' paved surface that is 100% open for garbage, plowing, etc. BROCK added there are potentially 5 functional parking spots on the parcels as 2 vehicles could park in front of the garage, parking in the garage and the 13 x 20 parking area. They also kept in mind a large item (boat, trailer) that the 13 x 20 additional parking area could accommodate.

BOQUIST commented that the Police Chief understands the proposal, but still has hypothetical concerns if it doesn't function as proposed., but is good either way with how the Commission decides, just wanted to express his concerns.

BROCK commented the purpose of the deed restriction with the parking as identified on the parking plan for each parcel is to prevent someone from building something in that area. BOQUIST added that State Law changed to where more than 1 parking space per dwelling unit in the SFD or duplex scenario could not be required.

AVILA asked the applicant if they wanted to include additional testimony.

BROCK commented the intent is to develop 29 lots with 32 SFD's, in the low to moderate price range and keep

them as rentals in the immediate future. MCCRAE added they are dedicating 40' of ROW to the City and if at some point the off-street parking isn't working and need to move to on street parking, the requirement to dedicate the 40' ROW is there. Additionally, in the contingency plan if the parking is not working, then the plan is to pave the 4 spots on the both east and west side bordering lots 27 and 29 (red squares) as community spots.

(Illustration 4:) Community parking spots



AVILA asked for testimony in favor, neutral or opposed. There were none.

COMMISSION DISCUSSION

OGIVLIE commented she is good with lot size and satisfied with parking as described.

GOUGHERTY asked about the signage and physical barriers. BROCK responded there will be signs signing off street parking at both entry points. The bioswale will be immediately off the road which should discourage parking. Also, in tree plan the trees are planted near the property line.

OGILVIE asked about the 90° corners for visibility. MCCRAE responded that the area is intended to be clear for visibility. BOQUIST added that will be part of a development piece as needed that will limit the type of fencing, shrubs or trees that goes there within the sight triangle for vision clearance.

AVILA asked how the landscaping will be designed and the bioswale. BROCK responded in the 8' gravel space on either side of the 24' paved surface will be the bio swale and the trees will be on the property. The trees will have a concrete cur around it with bark fill. MCCRAE added they don't anticipate any run off from any other lots due to way 16th street is designed and is elevated.

Discussion continued clarifying the parking and deed restriction.

FELLEY asked about the snow removal. MCCRAE responded the 8' gravel bioswale area is where the snow is anticipated to be stacked.

FELLEY asked if there was a thought to building duplexes rather than SFD's and if they would fit better. MCCRAE responded it is their intent to build and rent single-family homes. BROCK added this project supports and fits the housing need with a property that has challenges.

OGILVIE commented the design fills a need and a duplex is another type of investment. The most desirable thing for a person is to own their own home. A duplex can't offer that. BOQUIST added the housing study had a highest need in ownership and rental in this price range of house.

GOUGHERTY asked if lots 28 and 29 were divided, would it be down the middle with a deed restriction. MCCRAE responded that would be handled to adjust to a minimum 5' setback on one side and 24' on the other side and possibly lose a parking space.

AVILA asked about the community parking spots. MCCRAE responded there would be 4 spots on the East and West bordering lots 27 and 29. This is the contingency plan if the proposed parking plan is not working.

AVILA asked about the density calculations. BOQUIST responded the density was based on taking the total land area and subtracting out all of the 40' street ROW area (net area) and what is left just over 3 acres which gets to the 34 dwelling units. General rule of thumb on the Planning side is to assume 20% of lot size is street infrastructure.

Commission discussion continued with the fire hydrant placement. The hydrant location is by recommendation from the Fire Chief based on distance requirements, but will be determined by Public Works once construction starts.

BOQUIST directed the group to go over the Variance criteria and if the standard is approved.

Variance #1: On- Street Parking- proposing a 40' dedicated ROW and a 24' paved surface with no on street parking. Each parcel in addition to the covered parking requirement, proposing a 13 x 20' parking area per dwelling as well as additional parking submitted with the parking plan. Each parcel will be deed restricted.

FELLEY introduced the following Motion, with MORRISON providing the Second.

MOTION: I move that Variance #1 be amended to construct the 8 community parking spots per plan.

USC: 4 pass 1 abstain.

Variance # 2: Building Setback- proposed to reduce front and rear setback from a 20' setback to a 10'. There is a deviation 15' is a standard setback for the main dwelling and 20' for garages. Due to the constraints on this property with the easement on the far South boundary, caused the property to get squished in lot sizes and requires a variance on the setbacks to make the houses fit on the lot.

OGILVIE introduced the following Motion, with GOUGHERTY providing the Second.

MOTION: I move that Variance #2 with reduced setbacks be approved.

USC: Unanimous

Variance #3: Minimum Residential Density – proposing to vary slightly from the density standard with 32 dwelling units from the prescribed 34 dwellings.

OGILVIE introduced the following Motion, with GOUGHERTY providing the Second.

MOTION: I move that Variance #3 for a reduced residential density be approved.

USC: Unanimous

Variance #4: Lot Size – proposing some of the parcels be below the current minimum parcel size of 5,000 sq ft. The smallest parcel would be 3,100 sq ft with the largest being 6,400.

MORRISON introduced the following Motion, with OBILVIE providing the Second.

MOTION: I Move that Variance #4 to reduce the minimum lot size be approved.

USC: Unanimous

Variance #5: Maximum Driveway Width and Minimum Driveway Separation – proposing to exceed maximum driveway width from the 25' standard and remove driveway separation standard from 15'.

GOUGHERTY made the following Motion, with OGILVIE providing the Second.

MOTION: I Move that Variance #5 increasing width of driveways and remove 15' driveway separation.

USC: 4 pass 1 abstain.

The group then decided on the preliminary Subdivision Plat.

FELLEY introduced the following Motion, with OGILVIE providing the Second.

MOTION: I move that the Findings of Fact and Conclusions set forth in the Draft Decision Order be amended and that the Proposed Subdivision Plat be conditionally approved to include conditions of approval #1 and #2.

1. As part of the construction and paving of the street within Phase 3, the street width shall be widened by eight feet (8') adjacent to the West and East boundaries of Lots 27 and 29 to accommodate on-street parking. Such parking specifically includes the red sparking spaces labeled on the applicant's parking analysis plat as spaces 25, 26, 27, 28, 35, 36, 37 and 38. Such spaces shall be available as public parking for all residents and visitor of the subdivision.

2. The Final Subdivision Plat shall reflect a ten-foot (10') dedication of land as public street right-of-way along the entire property frontage bordering 18th Street, which would be allocated towards widening he 18th Street right-of-way.

USC: Unanimous

(PUBLIC HEARING CLOSED 8:30 PM)

None

OLD BUSINESS:

CITY PLANNER COMMENTS:

None

COMMISSIONER COMMENTS:

None

There being no further business to come before this Regular Session of the Commission, adjourned the meeting at 8:30 pm. The Commission is scheduled to meet again in Regular Session, Tuesday, April 11 2023 at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

ATTEST:

APPROVED:

Kendra VanCleave
CEDD Secretary
Date Approved:

Chairperson