

# MINUTES

Creswell Planning Commission  
Public Hearing  
Creswell Community Center—99 South First Street  
Creswell, Oregon

November 18, 2010  
7:00 p.m.

PLANNING COMMISSIONERS PRESENT: Blake Oelke, Chair; David Christopher, Gary Ludeke, Lloyd Safley, Dan Stockbarger, members; Denise Walters, staff.

Mr. Oelke convened the Planning Commission at 7:00 p.m.

## I. MINUTES OF AUGUST 26, 2010

Approval of the August 26, 2010 minutes was deferred to the next scheduled meeting.

## II. AUDIENCE

There was no one who wished to address the Planning Commission.

## III. COMMISSIONER COMMENTS

There were no commissioners who wished to offer comments.

## IV. POLL MEMBERS FOR CONFLICTS OF INTEREST

Covered under agenda item VI.

## V. OLD BUSINESS—LAND USE APPLICATIONS

There was no old business to address.

## VI. NEW BUSINESS—LAND USE APPLICATIONS

**Application A: Recommendation Case No. CCR-2010-ANNEX-2010-01**, A City initiated proposal to annex a portion of Harvey Road. The estimated total acreage of the annexation area is approximately 2.5 acres. The application will be reviewed under Sections III. C. 1, 9, 10 and 12 of the Creswell Comprehensive Plan; and the following Sections of the Creswell Develop-

ment Code: Section 4.1.500—Type IV Procedure; Chapter 4.10—Annexations and Withdrawals; and other applicable sections of the Code and Comprehensive Plan.

Mr. Oelke reviewed the public hearing procedures. He stated the failure for anyone to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and parties opportunity to respond will preclude appeal on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue would preclude an action for damages in Circuit Court.

Mr. Oelke opened the public hearing called for conflicts of interest, *ex parte* contacts or bias on the part of commissioners. There were no affirmative responses.

Ms. Walters offered the staff report. She said the City proposed to annex a portion of Harvey Road that had been improved to urban standards as part of a joint project conducted by the City and Lane County. As part of the improvement project, the City agreed to annex a portion of Harvey Road which would become North Fifth Street once annexed into the City. In 2006, the City began working with Lane County on the Harvey Road Improvement Project in the Urban Growth Boundary (UGB), requesting surrender from Lane County, and assuming maintenance responsibilities. She said although no public comment had been received as of November 10, 2010, a letter dated November 18, 2010 to the Creswell Planning Commission from Jerrel Terry, copies of which were distributed to commissioners, had been received and was entered into the record. Mr. Terry objected to the annexation, believing the annexation would allow the City to make decisions about his property. Ms. Walters responded that staff believed the proposal would impact only the right-of-way which had previously been dedicated, and the City would have no jurisdiction over Mr. Terry's property. Ms. Walters made a correction to the staff report, noting Tom Jeffreys represented EPUD rather than EPUID.

Ms. Walters reviewed the approval criteria found in a document entitled *Creswell Planning Commission Proposed Final Order/Findings of Fact—Recommendation Annexation of a Portion of Harvey Road (CCR-201-2010-01)* included in the agenda packet for CDC 4.10.160, CDC 4.10.160, noting each of the criteria had been met or were not applicable. Based on the findings stated in the document, the annexation application met the requirements of the Creswell Development Code for approval. The proposal was consistent with all City Ordinances, plans, and state and federal laws. Staff recommended that the Planning Commission recommend that the City Council approve the annexation application because it met the criteria set forth in the Development Code.

In response to questions from Mr. Ludeke, Ms. Walters said the City and Lane County had entered into a formal agreement that detailed the scope of work for the capital improvement project. The City would assume maintenance of the road after Lane County had surrendered the road to the City. She confirmed the Lane County Sheriff's Office would continue to provide law enforcement for the annexed area at no additional costs. She noted revenue generated from traffic fines would go to the City rather than Lane County.

Mr. Oelke observed there was no representative from the applicant present. He asked if any member of the public wished to speak in favor or in opposition to the annexation proposal.

An unidentified man from the audience asked what area was included in the annexation proposal.

Ms. Walters explained the area consisted of property north of Scott Avenue, south of Camrin Loop.

Mr. Oelke closed the public hearing at 7:10 p.m. and called for comments from commissioners.

Mr. Safley observed the date on the Agenda and the Findings of Fact should be November 18, 2010 rather than November 17, 2010, as it currently appeared on the documents.

Ms. Walters stated this item was currently scheduled for a public hearing by the City Council on December 13, 2010, but there was a chance the hearing would be moved to the January 2011 meeting.

Mr. Safley, seconded by Mr. Christopher, moved that the Planning Commission approve CCR-2010-Annex-2010-01, and to include the correction of the date on the Findings of Fact from November 17, 2010 to November 18, 2010. The motion passed unanimously, 5:0.

## **VII. LONG RANGE PLANNING—INTERCHANGE AREA MANAGEMENT PLAN (IAMP) UPDATE**

Ms. Walters introduced David Helton from the Oregon Department of Transportation (ODOT) and directed commissioners to two graphics, the *Creswell IAMP Preferred Alternative* street graphic and the *Creswell IAMP Preferred Alternative* table included in the agenda packets.

Mr. Helton explained IAMP had been underway for some time, noting technical traffic analysis should be comprehensive by the end of 2010. ODOT would continue through the adoption process of the IAMP after the consultant's contract expired. A draft IAMP document would subsequently be reviewed by the City and revisions made as necessary. The final draft IAMP document as well as related changes to the City's transportation system plan, comprehensive plan, and development code, would be brought to the Planning Commission for adoption in late winter/early spring 2011. Mr. Helton said the details of the preferred alternative would be available by December 2010.

Mr. Helton stated ODOT had revised the IAMP to be consistent with the City's adopted comprehensive plan. Three growth scenarios, low, medium and high had been considered, and the medium growth scenario was consistent with the population forecast in the City's currently adopted comprehensive plan as amended. A high growth scenario, that was more consistent with the Lane County Coordinated Population Forecast, which called for substantially more population than that which was identified in the City's comprehensive plan, was also reviewed. Although ODOT had revised some of the future conditions and traffic analysis, the result did not change. ODOT concluded three of the intersections west of I-5 and the I-5 northbound ramps would fail to meet mobility standards under all of the growth scenarios. ODOT policy required that low cost measures, such as signals, turn lanes, installation of medians be considered before capacity was expanded. He said all of the low cost measures would help but they would not achieve the required mobility standards.

Mr. Helton reviewed *Creswell IAMP Preferred Alternative* street graphic and the *Creswell IAMP Preferred Alternative* table and responded to questions from commissioners. He said he heard frequently from members of the public that the rail switching operation caused delays, backed up traffic and interfered with the highway operation. Several people in attendance confirmed this was a problem. He would assert to ODOT rail that this was an issue. The situation would need

monitoring so that a solution could be developed. If the rail operation continued to be a problem, he would recommend relocation of the rail siding. As the local plan called for, ODOT would call for inclusion of public streets for access from the north and south sides Oregon Avenue. Mobility could be achieved on the east side of I-5 with improved access management measures and a traffic signal. He reviewed other key points illustrated on the street graphic.

Mr. Stockberger expressed concern that ODOT did not have a good sense of whether a facility should be built based on anticipated growth, but the City would be left holding the bag for ongoing maintenance costs if the growth did not materialize.

Mr. Christopher asserted there were no development sites on the south side of the street to support the construction of the road facility improvements.

Mr. Helton averred no development would happen unless growth caused failure of the facilities. The City would not be required to make local street improvements unless development occurred and generated systems development charges (SDCs) and other funding mechanisms to pay for the streets. If there was no local development, no local streets would be built. He thought although things looked bleak now, the Eugene-Springfield area would be attractive for growth in the future and some people would want to live in Creswell.

In response to a question from Ms. Walters, Mr. Helton said ODOT was hesitant to commit to any improvement project in the current funding environment. He noted ODOT had agreed to fund a portion of an IAMP in the Woodburn area because the City of Woodburn had committed to funding its share of the project.

### **VIII. OTHER—SIGN CODE UPDATE**

Ms. Walters reported staff was working with Lissa Davis, the Code Enforcement Officer on the sign code update and she expected to bring drafts to the commission in December 2010 or January 2011.

### **IX. ADJOURNMENT**

Next Planning Commission meeting: December 16, 2010.

Mr. Oelke adjourned the meeting at 8:15 p.m.

*(Recorded by Linda Henry)*