



City Planning Commission Minutes  
Thursday, April 16, 2015 – 5:30 P.M.  
City Hall Council Chambers, 520 E. Cascade Avenue, Sisters, OR 97759

Commissioners Present: Darren Layne, David Gentry, Jack Nagel, Jeff Seymour, Daryl Tewalt, Bob Wright  
Commissioners Absent: Roy Dean

City Staff: Patrick Davenport, Community Development Director, Darcy Reed, Associate Planner,  
Carol Jenkins, Planning Technician

I. CALL TO ORDER

*Chairman Layne* opened the public hearing at 5:30 p.m. with a quorum of (6 of 7) present.

*A recording of this hearing is available on the City of Sisters website.*

II. VISITOR COMMUNICATION

Ron Greg – Shepherd of the Hills Lutheran Church  
386 N. Fir St.  
Sisters, OR 97759

*Mr. Greg* came forward and stated he is representing the Shepherd of the Hills Lutheran Church. He stated that he is here to speak to the monument sign issue and that the church is requesting that they be permitted to have a monument sign. *Acting Chairman Layne* stated that this will be addressed later in the discussion this evening.

John Tehan  
510 S. Cowboy St.  
Sisters, OR 97759

*Mr. Tehan* came forward and stated that he wanted to address alley parking standards and in particular the Saddlestone Subdivision. *Acting Chairman Layne* stated that this will be addressed later in the discussion this evening.

Peter Hoover  
31402 Lovegren Lane  
Sisters, OR 97759

*Mr. Hoover* came forward and stated that he wanted to discuss the two (2) proposed Senior Living Facilities specifically the project planned for the land near the Sisters Post Office, and the project known as MMV which was taken off the agenda. He stated for full disclosure, he is one of the

more than dozen Sisters residents that are involved in bringing the project to the parcel near the Post Office. To be clear, he stated he is not asking for any favors for that project – just the opposite. He is asking for the Sisters Development Code to be applied as written equally and equitably for both parties. To do otherwise results in an unfair advantage to one party over the other and sincerely hopes that it is not the outcome that the City desires to create. To his knowledge, the project the Sisters residents are involved with has complied with both the spirit and the letter of the Sisters Development Code. If there are any deficiencies, he invites and encourages and sincerely requests to bring those items to the project manager’s attention immediately. He stated that through an examination of public records, however, there are planning department decisions and actions regarding the McKenzie Meadows Village project that have us scratching our heads. He gave examples of the files at this time. He stated that they are puzzled about the extensions, expiration dates, different set of standards being applied and discussed his concerns at this time. He asked that the Commission be fair to both projects by adhering to the Development Code. To ethically and accurately apply the existing Code and not placing the City of Sisters into a precarious legal position by giving one proposal an advantage over the other or skipping over the required established written and well defined processes of the Sisters Development Code.

III. APPROVAL OF MINUTES – January 15, 2015, January 28, 2015, February 19, 2015, March 5, 2015

*Chairman Layne* asked the Commission is they would like to make a motion at this time.

*Commissioner Tewalt* made the motion to approve the January 15, 2015 minutes as presented. *Commissioner Gentry* seconded.

*Commissioner Wright* stated that on the Applicant/Consultant should be Chris Mayes Architecture MP14-02 and not Peter Hall/Greg Blackmore.

The Planning Commission approved the January 15, 2015 minutes as amended.

*Commissioner Wright* made a motion to approve the January 28, 2015 minutes as presented. *Commissioner Seymour* seconded.

*Commissioner Wright* stated that the Applicant/Consultant line should be removed - it was a workshop for a Text Amendment – Development Code Update. He stated that there was a sentence with the name Mr. Johnson in the minutes. *Recording Secretary* stated that Director Hardie invited Mr. Dennis Johnson that night to speak to the Planning Commission about his business in the Downtown Commercial District.

The Planning Commission approved the January 28, 2015 minutes as amended. Motion carries.

*Commissioner Tewalt* made a motion to approve the February 19, 2015 as presented. *Commissioner Gentry* seconded. Motion carries.

*Commissioner Tewalt* made a motion to approve the March 5, 2015 minutes as presented. *Commissioner Gentry* seconded. Motion carries.

*Commissioner Wright* stated that March 5, 2015 was a Planning Commission Hearing TA14-07 and not a workshop.

*Commissioner Wright* stated that just for clarification on the last page where it shows “Allowing one (1) in the Downtown Commercial District” – since it was up near the top next to the first item on the list – probably reference that to be a Formula Food Establishment and allowing one (1) in the Downtown Commercial District.

The Planning Commission approved the March 5, 2015 minutes as amended. Motion carries.

#### IV. PUBLIC HEARINGS

File No: MOD15-02  
Applicant: Saddlestone Development  
Request: Modification to the approved Master Plan

*Acting Chairman Layne* read aloud a statement summarizing the issue and hearing procedures at this time. No commissioner disclosed pre-hearing contacts, ex-parte contacts, or conflicts of interest. No one in the audience challenged any commissioner for bias, prejudice, or personal interest.

*Acting Chairman Layne* opened the public hearing on File No. MOD15-02 at this time.

*Acting Chairman Layne* asked for Director Davenport to come forward and present his staff report at this time.

*Director Davenport* came forward and stated that this is a Modification to an approved Master Plan. The approved Master Plan is 06-01 which indicates it was approved early in 2006. The applicant specifically requested these six (6) items which were in the agenda packets.

1. Update the setback standards to the current Code requirements in regards to acceptable encroachments into the setbacks per the Code.
2. Request for a 20 percent reduction in the rear yard setbacks which is a reduction from 15-feet to 12-feet.
3. Update lot coverage to current Code standards to a maximum of 60 percent to be consistent with what is currently allowed in single family residential zones.
4. Delete the previously approved staggering requirements for housing façade frontages.
5. Permit Accessory Dwelling Units.
6. Permit shared driveways.

*Director Davenport* gave a visual of the Site Plan, zoning map and the Saddlestone subdivision map at this time. He stated that he would like to go through these one by one – this is a Major Modification to the Master Plan which is beyond what staff could do administratively and why it is before the Planning Commission.

*Director Davenport* continued to discuss the update to the setback standards to the current code requirements on page 5 of the staff report. They are asking to update it to what the current code allows and is not a special request – just updating it to today’s standards. For this request, staff

supports this, but would like to have clarification and the applicant's agreement that this standard can be applied to each undeveloped lot, but is not required to be applied to each lot. It could be applied to all of them, or they could choose which ones it could be applied to.

*Acting Chairman Layne* asked for clarification if they can have mixed where some lots could be developed under the existing Master Plan, and some lots under the new modified plan.

*Director Davenport* stated yes - just that clarification. *Staff recommends approval of that request.*

*Director Davenport* stated that the next request is for a 20 percent reduction in the rear yard setback and will come back to this part at a later time.

*Director Davenport* stated that the next one is the "update lot coverage of current code standards to a maximum to 60 percent" – that request was already enabled in the code and in place when that was approved. When the code changed and the big Code rewrite in 2010 that 60 percent maximum lot covered just carried over. That request is really not necessary to be acted upon because it was in effect then, and it is in effect now.

*Director Davenport* stated that the next one is "staggering" requirements for housing façade frontages. The code that was in effect at the time did not have a requirement to have the front facades staggered – to not require them to be staggered. The code does not require that now – back then, it was a voluntary offering to stagger the housing facades. The applicant has asked to be released from the staggering obligations to not have to stagger their facades. They provided staff with elevations that they can verify that there will not be a cookie cutter type of development with similar facades looking down the street. Staff feels this request is reasonable – it is subjective criteria for the Commission to approve – it is not a code requirement. *Staff recommends approval of this request.*

*Director Davenport* stated that the "Accessory Dwelling Units" were allowed back in the code then, and they are allowed in the code now. The applicant was requesting this permissibility to have that in there development now. It is allowed by code and if the Commission agrees with this, that today's standards for Accessory Dwelling Units are in effect. It is slightly more-strict than it was in the 2006 version of the code – it would need to be updated to today's code standards. This would not release the future building permit applicant from not applying for an accessory dwelling unit application. There is an application that is required for those and does not release the obligation to apply for each individual accessory dwelling unit. However, it is appropriate if they apply for the accessory dwelling unit and the building permit for the main dwelling at the same time.

*Director Davenport* stated that on the shared driveways, the applicant is asking for permission to have shared driveways. He gave a visual of the shared driveways would allow side loaded garages that could be accessed through the shared driveways at this time. Shared driveways are permitted in the Code on this type of street classification – and staff feels the request is appropriate and asking for clarification if this shared driveway option can be applied to all the undeveloped lots remaining in the subdivision, or be exercised in a variation of certain models and various requests for people wanting to build a house, etc. It is allowed by Code, but just wanted to clarify it could be applicable to all lots in the development.

*Director Davenport* stated that going back to the 20-ft. rear yard setback – this is a rather special request and what they are asking to do is have a reduction in the rear yard setback. Now, the Code requires 15-feet and it did back in 2006, they are asking for this variation of 3-feet to be applied. It would allow slightly bigger structures and staff feels this request is appropriate and certainly meets the standards of allowing variances. However, staff would like to condition approval if appropriate for any dwellings that take advantage of this approval – they can no longer do a detached structure in the rear yards. What is allowed now – they can do a detached structure that can be 5-feet from the property line. They are asking for this slight variance to have a slightly larger model that would not need a detached garage and a potential accessory dwelling unit on top of the garage which could be 5-feet from someone’s rear property lines. *Staff is asking that for every structure that takes advantage of this approval that they are not allowed to have a detached accessory structure in the rear yard.*

*Chairman Layne* asked for the applicant to come forward at this time.

Eric Olsen  
P.O. Box 9  
Monmouth, OR 97361

*Mr. Olsen* came forward and gave a handout to the Commission and gave a little bit of background on himself and stated that they are primarily developers, design all of their own homes, build the homes, and develop the property typically. He stated that he is presenting his proposal for some fairly minor modifications to the existing Master Plan of Saddlestone. He stated that they have a large Master Plan in Monmouth and currently slated to start another one in Salem. He said that they want to build the type of homes that they think have been successful in the marketplace and brings great value to the community.

*Mr. Olsen* discussed the different types of housing, garages, alley’s and shared driveways, prominent front loaded garages at the front of the house, garage doors in the back either accessed by an alley or by a shared driveway. He discussed the aesthetics interest to the street creating a great value to the community and the residents that live there. One reason for doing it this way is that it gives reason for people to walk. There are amenities in the neighborhood – open spaces and parks also providing a reason for people to walk. This is the place that is commonly shared by neighboring people that own property in the subdivision and people outside of the community. It is great for people walking dogs, for people to come to the neighborhood because of the way the sidewalks are lined and an aesthetic experience. He said that they hope to bring a similar kind of value to this project based on past experience and sense of design.

*Mr. Olsen* talked about his background in architecture and engineering and stated they are fanatical about architectural detail and he thinks that is a key part in maintaining value and creating a sense of place. He stated that having that long term idea of what makes the place great and thinks that is what is really important and they pay a lot of attention to that. He said that they have proven that in their background in Monmouth is by paying attention to tenants that they follow is having a great investment for the homeowner and ultimately the community. He asked that the Planning Commission pay close attention that it is really important aspect to what they can bring to the City of Sisters. They can create a livable community that provides an immense amount of attractiveness and a great investment towards property values, etc. He

stated that he feels the environment matters, spending time on designs that consider energy efficiency, houses are both enduring architecturally and mindful of the natural resources.

*Mr. Olsen* stated that he has provided a series of pictures in dealing with the requests specifically, etc. He said that they reason they are requesting to update their Master Plan Code is to comply with what the existing setbacks are. Basically, building setbacks are 5 ft. on either side, 15 ft. at the front, or 15 ft. in the back. Typically, in most jurisdictions and now in Sisters which was not the case when this Master Plan was approved, roofs can overhang into that setback by a certain amount – Sisters it is two (2) feet. The reason that is important is that allows them to maintain the architectural style as seen in Figure 1 and 2 (visual). The request for 60 percent lot coverage – Figure 4 (visual) gives a great sense of what 55 percent lot coverage is and most of the houses are going to be between 40 and 55. Staff's interpretation is that it was already approved for that, but wanted to make sure before pulling the trigger all the way – that they know there is a clarification on that so staff recommended bringing this and request it as a change to the Master Plan. On the staggering requirements – it is a way to deal with production builders that want to build a series of homes that are going to be repeat 2-3-4 floor plans and doesn't look like a cookie cutter subdivision. They will force one house plan back a little, another house plan forward and that will create a sense of variation going down the street. He stated that what they do is significantly more than that. Part of the idea of maintaining a sort of similar setback all the way down a property line creates a sense of outdoor space, community, and enhances the pedestrian experience – Figure 5 and 6.

*Mr. Olsen* stated that in terms of Accessory Dwelling Units – he said that he thinks that is currently permitted but wanted to make sure that is going to be allowed in the Master Plan. It is a typical accessory dwelling unit that they have in Monmouth. In terms of shared driveways – they have also done a number of shared driveways (Figure 8 and 9) indicate a sense of 10 ft. paved area that essentially gets the resident to the back of the lot in order to access their garage. There have been concerns with the neighbors, but in the 12-13 years of working on the subdivision there may have been one or two scuffles (giving examples) between neighbors, but for the most part it works incredibly well.

*Mr. Olsen* stated that finally – the request for the modification for the rear yard setback. Since they were not the actual developers, typically, they would have a little bit more control of the actual lot configuration and in order to make their product work, they need a little more depth in the lots so the minimum they could get by with is a 12-ft. setback versus a 15-ft. setback. That is their request and they wanted to point out that in terms of the current Code, a detached accessory dwelling unit could be as close as 5-ft. It is their anticipation that they won't have any of the detached units, but would ask for a request to go up to 12-ft. from the rear yard line. A traditional development has a rear yard where most of the living is and most of their plans configure a side yard where primarily most of the outdoor living space is. They need to take advantage of additional real estate at the back end of the project to make most of the housing types work well.

*Mr. Olsen* stated that the last three (3) pages consist of a Site Plan which indicates how they would approach a shared driveway configuration. The hatched area indicates paving or concrete and the house (visual) would provide half of the shared driveway and the other half would be provided by the adjacent property owner. He stated that once they decide which houses (and not requested on every house) but the houses they do request it on – they will go out for a reciprocal

easement so that both property owners will have ultimate access in the long term to the property. He addressed a couple of typical floor plans that they are looking at building, the garages at the rear (visual) with a great emphasis on front porches, and making it a very friendly pedestrian environment.

*Mr. Olsen* talked about the colors and designs that are made a little bit more of valley architecture, but will do somethings that are going to be more appropriate for Central Oregon in terms of color choices, but wanted to give a sense of what they do, the type of product that they do, and that the Planning Commission will believe that it is going to be a great addition to the City of Sisters.

*Commissioner Wright* addressed Mr. Olsen stating that he was a little bit confused in the Development Code where on the 15-ft. minimum for the rear yard setback, his understanding is that the setback is from the foundation to the property line, and not the eaves to the property line. Where some of the measurements or references said that it was 12-ft. from the eaves to the property line. Would that not be a major Variance?

*Mr. Olsen* stated that in the current Code, the setbacks are measured from the foundation. He stated that his request is to allow for the eaves or any small cantilevers, fireplaces, etc. are allowed to go into that setback.

*Commissioner Wright* stated that Mr. Olsen said that the setback was from the eaves to the property line.

*Director Davenport* asked Commissioner Wright to repeat his question at this time.

*Commissioner Wright* stated that it is his understanding that and having recently built a home, the setbacks are always based on the foundation to the property line, so the rear yard setback from the foundation to the property line – 15 ft. The eaves and bay windows and those types of things can encroach into that and not be considered a violation of the setbacks. He said he thought he saw in the findings for the Condition of Approval, it talks about all of the development will have a 15-ft rear yard setback measured to the eaves. He stated that he thinks it should be measured to the foundation. He said that if there is 15-ft. and a 2-ft. overhang, it is only talking about a minor adjustment in the setback.

*Director Davenport* stated that as far as the modification for the rear yard setback – they are asking for a 3-ft. exception to move their structure up 3-ft. closer to the rear yard.

*Commissioner Wright* asked if they are asking for 12-ft. from the eaves not from the foundation.

*Mr. Olsen* stated that the request is from the foundation.

*Commissioner Wright* stated that there is a misunderstanding in the findings on MP06-01.

*Mr. Olsen* stated that the problem is that when Saddlestone was originally approved, those setbacks were from the eaves. He said that what they are doing is bringing it up to Code now, but at that time that is how the Code was written, and now it is written such that it is ok to have the encroachment of the eaves and other cantilevered elements.

*Commissioner Wright* asked for clarification that if it was 3-ft, then it has exceeded the 20 percent allowance. It seems like it should be a minor modification and not a major Type III if talking about setbacks.

*Mr. Olsen* stated that they are requesting that the foundation be within 12-ft. of the rear property line and not the eaves.

*Commissioner Wright* stated that it should be corrected to change eaves to foundation. Then, it is truly asking for a 3-ft. variance on the foundation of these. He stated that he thought he saw contradictory information and just wanted to clarify that.

*Commissioner Seymour* asked how many units are going in this subdivision including those previously constructed, how many new units will there be, and how many are existing now...

*Mr. Olsen* stated 85, and there will be 81 new units. There are four (4) existing right now.

*Commissioner Tewalt* asked what would be a good guess on how many Accessory Dwelling Units will be built.

*Mr. Olsen* stated that from his experience in other places, he said that they might have in this subdivision about four (4) Accessory Dwelling Units would be his guess. He stated that it could be six (6), but it is really market driven and depends on if that is something that is desirable here.

*Commissioner Gentry* asked about the shared driveways and when they need to be repaired how is that decided.

*Mr. Olsen* stated that it is a shared expense like with a zero lot line house where it would have a shared roof, etc. He stated that it would be a shared expense between the two homeowners of which the Homeowners Association is the ultimate arbiter. If there is a question or concern, they don't come to the City, they come to the HOA, and say what the issue is, and then, the members of the Board would make that decision.

*Commissioner Wright* asked about the setback on the side to the foundation is 5 ft. It could be more, but it can't be closer than 5-ft. If there is a shared driveway should there be – Mr. Olsen showed 7-ft. to the foundation and not the eave. Should there be a minimum on some definition of the setback on the side where there is a shared driveway increasing it from 5-ft. to.....

*Mr. Olsen* stated there are minimum requirements for driveway widths and they would utilize those in terms of what they would build. The 10-ft. is a minimum in terms of what is practical and acceptable. Typically, their alleys that serve 20-25 homes in Monmouth those are only 12-ft. of paving and they have never had a conflict in any of them in terms of two-way traffic.

*Commissioner Tewalt* stated that as long as the Fire Marshall approved it.

*Mr. Olsen* stated that with the Fire Marshall as long as there is the ability to access the property, and with the front access and whether there is a shared driveway or not, they would use it if there was a fire, but they don't have to provide minimum widths for the fire trucks because they have

a requirement that fire trucks can be within 150 ft. from the front of where their rig parks. All of their houses and all of their lots would satisfy that criteria.

*Commissioner Gentry* asked about the houses themselves and are there like five (5) different types of houses.

*Mr. Olsen* stated that right now they have five (5) plans that they are finalizing, but imagine that they will have upwards to 20 different house plans by the time it's all said and done. They will offer two (2) different paths – standard plans will be very restrictive in terms of having one plan next to another plan, if they do that, the façade would be modified to such a degree that it would be recognized it as the same plan. Essentially, they will have the base line plans that are set in stone, and still have the ability for people to come in and do a full custom set of plans. He said that they do all of their own design work and are able to both design it and approve it because they will be initially running the Homeowners Association. He said that the last point and very important – it is their intention to bring in local builders that are qualified that would buy into their type of quality and their design. They bring a new view as long as they are working along the parameters of what has been laid out.

*Commissioner Nagel* asked what the setback is from the edge of the driveway to the foundation of the house. How far does it have to be from the driveway?

*Mr. Olsen* stated that they often have driveways that are within 12 inches of a house in Monmouth and that works very well. There are no specified setback for driveways.

*Commissioner Nagel* asked if there has ever been a problem with the big pickups that are 20-25 ft. long having trouble in using those share driveways.

*Mr. Olsen* stated that they have one of those houses in the drawing (gray 2-story) and they have a double cab red pickup that is very large and he takes it down the driveway, and there doesn't seem to be any problem.

*Director Davenport* stated that he had a clarification for Commissioner Wright's question – Code reference 2.2.300 – General Exceptions to setbacks and building heights. In B.2.C, the following feature is allowed to encroach in the front and the rear setbacks no more than 3-ft. – eaves. In granting this variance, they are asking for the building itself to be the 3-ft. variance for the building, but also, the eaves could encroach up to 3-ft. per this Code as well.

*Commissioner Wright* asked if the clarification is that the 12-ft. setback they are asking for is from the foundation to the property line.

*Director Davenport* stated yes and that they have that 3-ft. eave overhang per the current Code.

*Commissioner Wright* stated that it answers his question, but he thought that the way it was written, he thought the setback was to the foundation and the measurement being addressed is going from the eaves. He asked if it is the eaves or the foundation.

*Director Davenport* stated it is the foundation.

*Chairman Layne* asked if anyone would like to come forward and speak in favor of the application. No one came forward.

*Chairman Layne* asked if anyone would like to come forward and speak in opposition of the application.

Dan McClellan  
1094 E. Horse Back Trail  
Sisters, OR 97759

*Mr. McClellan* came forward and stated that he is one of the four owners of the homes that are existing in the development. He said that in talking with his neighbors, they like the idea of having it developed, but there is the Accessory Dwelling provision which is ambiguous as he stated in the previous Master Plan from Pahlisch, but they never intended to put accessory dwellings in that development. He said that they have a concern that would cause a little more congestion and density issues when doing accessory units in that area. Especially, with the shared driveways, if there is an accessory unit there where would those people park – along the street, etc.? He said it's not so much for the whole development, but the Accessory Dwelling Units is what their concern is.

Bruce Kaye  
990 E. Ranch Ave.  
Sisters, OR 97759

*Mr. Kaye* came forward and stated that he did send some comments in, but sent them late this afternoon and not sure they made it to Director Davenport or not. He said that as the Master Plan was being formed he had real concerns with this many units going in which is already water under the bridge because it is going to impact all of us that live in that area. He said that he heard a lot of comments about attractiveness, great value and that these are minor adjustments, but he doesn't believe really any of that especially if considering the one doing away with the staggered housing. If they are on both sides of the road, there will be a wall of houses and look more like a strip mall than a nice subdivision setting. He is concerned that it seems so far like it is a blank check and don't know exactly what the update setbacks standards are and he would really like to know what they are. The reduction from 15-ft. to 12-ft. seems really extreme when figuring this is a 2-story structure that they will be looking at a wall across in their backyards. There will be three (3) of these units that are in their own backyard. When reducing that even by 3-ft. that is going to be an impact let alone the 15 ft.

*Mr. Kaye* stated that the staggering issue and the closeness of these, and now that these eaves are 3-ft. on each side and a 5-ft. setback – there will be 4-ft. between the eaves and each of the houses. He would like to talk to the Fire Marshall to see how they are going to get between these buildings and he fears that they will want to go through his backyard if there was ever a major issue in the back of these apartments.

John Ries  
294 N. Cowboy St.  
Sisters, OR 97759

*Mr. Ries* stated that he is on the corner of Cowboy and Ranch. He stated that they met with Pahlisch several times in 2006 and they were very good at accommodating all of our wishes and desires. They were a good outfit to work with and it's too bad they went under on this. He said that his house and the lots in Rolling Horse Meadow are huge .06 of an acre because they were on septic tanks at the time. He said that there are three (3) of their homes that will be sitting next to his and looking down into it as the previous guy said. In anticipation of this in 2006, he said that he started planting pine trees all along the fence with a pretty good border already. He stated that he would be against rolling this setback back also because of the same reasons the first man said – they are all single story houses along that fence and most of these are going to be two story homes that will be looking down into his backyard. He stated that he would prefer the staggering just for the aesthetic value.

*Mr. Olsen* came forward and discussed the Accessory Dwellings units stating that they could actually be 5-ft. from the property line. He stated that they are compromising by pulling it back to 12-ft. asking for an additional 3-ft. He discussed the staggering options at this time.

John Tehan  
510 N. Cowboy St.  
Sisters, OR 97759

*Mr. Tehan* came forward and stated that he is not against the project. He wanted to address his concerns in that the alleyway north of the subdivision. He talked about the different alleys around town, parking, different configurations, and gave examples at this time. He talked about driveways, alleyways, parking, enforcement, and aesthetics at this time.

*Mr. Olsen* came forward and addressed Mr. Tehan's comments and stated that they will provide adequate parking for the Homeowners. He discussed the garages and parking on the side of the garages. He said that they are permitted in the CCR's to allow for street parking by the Board of Directors of the HOA.

A discussion took place regarding the Table 2.2 – garage setbacks accessed from an alley being 20-ft. minimum and is that the case here.

*Director Davenport* stated that this was approved in another Code for the northern lots.

Peggy Hougé  
847 E. Black Butte Ave.  
Sisters, OR 97759

*Ms. Hougé* came forward and stated that previously in the CCR's there was no street parking. Now, that there may be street parking, she asked if it could only be on one side of the street and gave examples at this time.

A discussion took place regarding the height proposed for the Accessory Dwellings, setbacks, two-story building heights, up to 60 percent maximum coverage from the old Code and being the same now in the new Code, fencing requirements, accessory dwelling setbacks, porches, encroachments, and staggering at this time.

*Chairman Layne* closed the public hearing at this time and asked the Commissioners what they would like to do at this time.

*Commissioner Nagel* stated that he felt the Commission should address the issues of the people that live on Ranch Avenue since these houses will back up to them. He asked if it would be possible to only allow single story houses, or at least require the 15-ft. setback be maintained by that row of houses that back up to Ranch Avenue.

*Director Davenport* stated that they already have approvals to build their houses per that current Code which the heights are similar to now. That request would be revoking their entitlements that were given to that property back in 2006.

*Chairman Layne* re-opened the public hearing at this time.

*Mr. Olsen* came forward and stated that those people that have voiced a concern here need to determine which lots those are and specify those lots as being disqualified from the Variance. He said that he would be willing to look at that as a possibility, but there is the possibility of an accessory dwelling unit – he said that the owners of the property would be better off to maintain the 12-ft. versus the potential 5-ft. or 10-ft. with an accessory dwelling unit. He said that it could be a trade-off that might not be most advantageous to those owners.

A discussion took place regarding parking, no-parking on the streets, CCR's, setbacks, accessory dwellings, at this time.

*Chairman Layne* closed the public hearing at this time.

*Director Davenport* came forward and stated that he talked with the Public Works Director and the City Engineer and that the City would allow parking on Black Butte Avenue. That would be allowed per City Code – the street is wide enough at least for parking on one side, however, if the CCR's don't allow it that is a matter that needs to be enforced through the Homeowner's Association.

*Chairman Layne* asked if the Commission would like to make a motion at this time.

*Commissioner Tewalt* made a motion to approve the proposal as conditioned by staff.

*Commissioner Seymour* seconded. Motion carries.

AYES: Darren Layne, Bob Wright, Daryl Tewalt, Jeff Seymour	(4)
NOES: Jack Nagel, David Gentry	(2)
ABSENT: Roy Dean	(1)
ABSTAIN:	(0)

File No: RP15-01 and V15-01 – Replat, Minor Variance and Major Variance  
Applicant: Chris Christensen - Legacy Builders  
Request: The applicant is requesting to re-orient three (3) existing lots by 90 degrees so that they can front Cedar Street and develop each lot with residential dwelling units and accessory dwelling units.

*Director Davenport* came forward and addressed Legacy Builders of Oregon proposal at this time.

- The applicant is requesting to re-orient three (3) existing lots by 90 degrees so that they front Cedar Street and develop each lot with residential dwelling units and accessory dwelling units.
- A Minor Variance of (1.0') to the exterior side-yard setback adjacent to Washington Avenue.
- Major Variance of (2.48') for Parcel 1, a variance of (2.02') for Parcel 2, and a (1.50') Variance for Parcel 3 to the applicable lot width standards in order to preserve significant trees.

*Director Davenport* came forward and stated that before the Commission is a Replat, a Minor Variance, and a Major Variance. He gave a little background on this project stating that the requests resulted from a staff member that no longer works here erroneously informed the builder that lot width variance would be allowed varied by staff as a Type II approval. However, that was incorrect and informed the applicant by adding a Major Variance request – the addition of that Major Variance request is a Type III to be considered by the Planning Commission. All three (3) requests are before the Planning Commission tonight. He gave a visual and detailed description of the proposal at this time.

*Commissioner Tewalt* asked Mr. Christensen about the significant tree on the end of the easement and wanted to make sure it was protected during construction, and also that there be no access to Washington Street.

*Mr. Christensen* stated that they will end that alleyway at the driveway for Parcel 3. They will come in and landscape around that large ponderosa and protect it during construction.

*Chairman Layne* closed the public testimony portion of the hearing at this time.

*Chairman Layne* asked if the Commissioners would like to make a motion at this time.

*Commissioner Nagel* made a motion to approve the application as presented.

*Commissioner Gentry* seconded. Motion carries.

File No: TA14-07  
Applicant: City of Sisters  
Request: Text Amendments to various Development Code Chapters  
Chapter 2.12 – Sun Ranch Tourist Commercial  
Chapter 2.6 – Light Industrial District  
Chapter 2.14 – North Sisters Business Park  
Chapter 4.5 – Master Planned Development

*Director Davenport* came forward and addressed the chapters under review describing each chapter at this time.

Chapter 2.12 – Sun Ranch Tourist Commercial (TC) District to have a Permitted (P) use: Cideries, Distilleries, Wineries, and Breweries.

Chapter 2.6 – Light Industrial District (LI) to modify the Minor Conditional Use (MCU) to a Permitted (P) use and to add Cideries and Wineries. Distilleries, Cideries, Wineries, and Breweries, not to include a restaurant or bar.

Chapter 2.14 – North Sisters Business Park (NSBP) District to add: Cideries and Distilleries and to strike the prefix “micro” from ~~micro~~breweries.

Chapter 4.5 – Master Planned Development – a new section to add:  
N. Front Lot lines do not need to abut a street – meaning that front lot lines could face an open space feature.

*Commissioner Tewalt* asked about the front lot lines and if that means that someone could orient your house to an open space.

*Director Davenport* stated yes that is correct and they could have the garage oriented toward an alley or street. He stated that this would just allow the front lot line to face something other than a street.

*Commissioner Wright* asked about having a house on a corner – what would the setback be on the side yard.

*Director Davenport* stated that if it is an exterior side yard, it would be 10-feet in the Residential District.

*Commissioner Nagel* asked if Tasting Rooms are going to be allowed in the Light Industrial District.

*Director Davenport* stated that he would have to look at the Ordinance, but these are the only modifications now.

A discussion took place regarding setbacks, orientation of houses, front loading and alley loaded garages at this time.

*Chairman Layne* asked if the Commission would like to make a motion at this time.

*Commissioner Wright* made a motion to approve the proposal as presented.

*Commissioner Seymour* seconded. Motion carries.

*Director Davenport* stated that this will go before the City Council on May 14<sup>th</sup> for the final review.

File No: CP15-01  
Applicant: City of Sisters  
Request: To amend the Comprehensive Land Use Plan and Transportation System Plan revisions: Eliminate policy reference to back-in diagonal parking.

*Director Davenport* came forward and stated that this request has come down from the City Council to amend the parking regulations. The City Attorney advised staff that the first step in doing this is to amend the policy documents which give guidance to the regulatory documents. By amending these documents, it will delete these policy references that refer to the back-in diagonal parking requirements. He stated that this has been workshopped, there is strong community support in favor of this request, and direction from City Council to make this happen. He stated that if this is approved, the striping will be oriented in a different angle and the parking movements would not support back-in parking anymore.

*Commissioner Wright* wanted to make a suggestion on Option 2 to add if possible – ‘head in’ parking to make it less confusing and for clarification purposes. A discussion took place on the pros and cons at this time.

*Chairman Layne* asked the Commission if they would like to make a motion at this time.

*Commissioner Gentry* made a motion to approve CP15-01 with Option 2.

*Commissioner Nagel* seconded. Motion carries.

Discussions: (workshop)

- a. Sign Ordinance revisions
- b. Formula Foods revisions
- c. Revising minimum and maximum density ranges in the MFR Multi-Family District

Sign Code Section 3.4

3.4.500 Permit Exceptions

*Director Davenport* stated that staff is trying to finish up the Sign Code revisions. He stated that the Commission has gone through a very thorough review of them at the last workshop. He discussed the temporary committee that was selected to review this, and the numerous opportunities for public participation. He stated that he would like to get this to public hearing on the Sign Code and to clarify just a few remaining options that were left over from the previous meeting.

He addressed the “Double Sided Signs” and the 90 degree arrangement. He clarified 3.4.500 on the Permit Exceptions stating that “One ~~construction~~—development sign” and “Construction signs are considered double sided when the faces are 90 degrees or less” in a manner being attached back to back. These signs are for ‘Temporary Construction’.

A discussion took place regarding the double sided signs, sizes and placements at this time.

*The Commissioners were in agreement of the proposed revisions and to move forward.*

*Director Davenport* asked the Commission if they were interested in creating a Sign Review Board or not. He stated that there would be some challenges if a Sign Review Board was created. The intent was to allow an express review of Variances to the section of the Sign Code, but after talking with the City Attorney, staff feels that it is better to continue allowing the Planning Commission to process, review, approve or deny Major Variances to the Sign Code.

*Director Davenport* asked the Commission to reconsider establishing a new Sign Review Board since the Planning Commission is adequately experienced in performing quasi-judicial reviews. He stated that what staff is offering as a recommendation is that section of 5.1.500 be revised as a Type II procedure under 4.1 to allow staff to approve Variances and sign sizes (changed from 10 percent to 20 percent) and gave examples at this time.

*Commissioner Wright* stated that as long as it is properly processed as a Type II with notification.

*Director Davenport* stated that there is new criteria that passed where staff notifies the Commission by email of these decisions.

*Director Davenport* introduced a member of the public that would like to speak to the Sign Code.

Ron Greg  
386 N. Fir St.  
Sisters, OR 97759

*Mr. Greg* came forward stated that he is in favor of the proposal that was given striking the wording “~~monument signs shall not be permitted in the Downtown Commercial District (DC)~~”. He said that staff is adding (H) saying that in the “Downtown Commercial District (DC) monument signs shall be permitted”. He stated that he would like to see that happen.

*Director Davenport* asked the Commission if they would give direction to staff to hold a public hearing on April 30, 2015 regarding the Sign Code revisions.

*The Commission were all in agreement to hold a public hearing on April 30, 2015.*

#### 2.5.300 Highway Commercial (HC) District

Section L: Formula Foods Revision(s)

*Director Davenport* stated that this is a proposal that affects 2.5.300 Highway Commercial District – Section L: Formula Foods. He stated that there have been rather lengthy discussions and participation in this section. There have been other Formula Food revisions passed by the City Council and are now effective which allows one (1) in the Downtown Commercial District and zero (0) in the Business and Industrial District. This is the last revision on Formula Foods being discussed. He gave a visual of subsections 1 and 2 and the highlighted section stating “Establishments to a maximum of six (6) within this zone and also subject to the following requirements at this time.

*Director Davenport* stated that staff is recommending to consider getting rid of the subsections 1 and 2 and the reason is that these requirements can be confusing to understand, and can be circumvented through Lot Line Adjustments and Minor Partitions. He asked the Commission to

consider a cap / absolute number that would be allowed in this zoning district – Highway Commercial. The absolute cap is a much easier number to administer. He stated that he doesn't have any recommendation on the cap, but as far as how the community feels for or again these types of establishments – that number is much easier discussed by putting a cap on them.

A discussion took place regarding a cap and what number would it be, if a building becomes vacant can it be resurrected as a Formula Food Establishment, getting input from the various developers and background on how these come into play.

Steve McGhehey  
313 S. Pine Meadow St.  
Sisters, OR 97759

*Mr. McGhehey* came forward and addressed his concerns of the 400-foot restriction at this time. He stated that he would like to strike the 400-feet.

Todd Taylor  
2059 Estes St.  
Bend, OR 97701

*Mr. Taylor* came forward and stated that he is in favor of the cap and against the 400-foot separation. He addressed the original Master Plan, traffic study, future round-about, frontage road, safe access points, pedestrian and vehicle safety, the parking, franchise Formula Foods, hiring of local people, and clustering of the services at this time.

Bruce Churchill  
878 NW Riverside Blvd.  
Bend, OR 97701

*Mr. Churchill* came forward and addressed trying to find a fast food restaurant for the Outlaw Station for Mr. Taylor. He stated that Sisters is too small for these fast food operations – they are very scientific and risk adverse, the need to find willing partners, franchises or operators that will produce the money and operate it. He discussed the market studies, population, and investment it will take to get one of these up and running.

A discussion took place with the Commission regarding a cap on the Formula Food Establishments at this time.

*Director Davenport* stated that there will be a public hearing on April 30, 2015 to finish this section, and asked the Commission if they were in agreement to subsections 1-2 be stricken, the text that is underlined be added, and if they were comfortable with the number six (6) – he stated that this will apply to both sides of town.

*The Commission directed Director Davenport to put a cap of six (6) Formula Food Establishments within the Highway Commercial District (HC) and to delete the 400-foot separation with no distance restrictions.*

2.3 – Multi-Family Residential (MFR)  
Revisions to Residential Densities

*Director Davenport* came forward and stated that the current residential density (units per acre) in the Multi-Family Residential District (MFR) is a minimum of 9 and a maximum of 20. The density ranges for the Residential District (R) is a minimum of 3 and a maximum of 8 units per acre.

*Director Davenport* stated that staff is requesting that the Planning Commission consider revising the MFR District density ranges to 5 minimum and 15 maximum. He gave examples and a visual of Tamarack Village being 15.8 units per acre and the Village of Cold Springs – Multi-Family Section – approximately 20 units per acre at this time.

A discussion took place with the Commissioners regarding minimum and maximum densities, affordable housing, different housing types, and workshops that are needed for this consideration at this time.

*Director Davenport* asked the Commission if he could take the consensus in ‘not moving forward’ with a Text Amendment and to get additional public input at this time.

The Commission was in agreement to ‘not move forward’ with the Text Amendment, do a workshop, and get additional public input.

V. OTHER BUSINESS

*Chairman Layne* stated that the Commission will need to elect a new Chair due to his time constraints, but will step down to Vice Chair until further notice.

*Commission Wright* nominated David Gentry as Chair.  
*Commissioner Nagel* seconded. Motion carries.

VI. ADJOURN

The meeting was adjourned at 8:20 pm.

Respectfully submitted,

Carol Jenkins, Recording Secretary







