

**CAVE JUNCTION CITY COUNCIL MEETING
MINUTES
April 22, 2024**

Council met in the Chamber at City Hall located at 222 Lister Street, Cave Junction.

ATTENDING MEMBERS: Mayor Meadow Martell, Councilors, Ethan Lane (via Zoom), Tina Casey Jones, Jean Ann Miles, and Jesse Dugas.

Meeting was available via ZOOM Video Platform: ID: 870 4757 0684 Password: 208612

The Mayor opened the meeting with the pledge of allegiance at 7:00PM.
The expected meeting protocol was briefed by the Mayor.

1. CONSENT AGENDA:

Minutes of Previous Meeting

Planning Updates

Park Use Requested(s): IV Chamber – Concerts in the Park – June 20th thru Aug 15th – Request to use amplified sound.

Councilor Jones made a motion to approve the consent agenda.

Councilor Miles 2nd the motion.

Called to Vote: Councilor Lane – aye; Councilor Jones – aye; Councilor Miles – aye; Councilor Dugas – aye; Mayor Martell – aye.

Motion to approve consent agenda passes 5-0.

2. PUBLIC COMMENT

No written public comments were received.

No public comment from the audience.

3. IGA with Josephine County for a Housing Rehabilitation Program, managed by Homebridging GP LLC

Chad Hansen, Homebridging President, provided an introduction and general concept of how these federal funds will be used, and how this grant differs from previous grants, in that it is a pure grant and no liens will be placed on the property owner's title. Based on this, it is believed that the number of participants will be much higher than in previous grants. These funds will be directed to homeowners, aging in place and homes that have basic needs (heating, plumbing, roofing, etc.) to make repairs. This is a \$500,00 grant to be administered by Homebridging. RVCOG will be writing this grant and the program, if approved, will begin this fall. There will be a website with explanations, applications, etc., that can go on the city's website.

Council questions:

Councilor Jones: Wanted to confirm that this is for low-income homeowners, and application will be made through Homebridging. Yes. The goal for spending is approximately \$25,000 for each homeowner.

Councilor Dugas: Asked if there was an expected date when the applications would become available. Chad responded that they expect applications to be ready and a public forum presented sometime this fall.

Councilor Miles: What if you don't get the grant? Chad stated that there were only two counties that applied so chances are high that they will receive the grant.

Mayor Martell: Asked how much of this money has been ear marked specifically for the Illinois Valley? Chad stated it is for Josephine County – everything outside the city limits of Grants Pass. Since 20% of the population is this side of Hays Hill so monies will be spent out here. Applications will be reviewed for serious challenges – leaking roofs, rotten floors, plumbing issues, heating challenges, etc.

Councilor Miles made a motion to authorize signing the IGA.

Councilor Jones 2nd the motion.

Called to Vote: Councilor Lane – aye; Councilor Jones – aye; Councilor Miles – aye; Councilor Dugas – aye; Mayor Martell – aye.

Motion to authorize signing the IGA passes 5-0.

4. Legislative Hearing – 39-08-15-CB Tax Lot 1201 - 1217 (Copy of written procedures for this hearing attached for reference.)

The Mayor suspended the council meeting and opened the public hearing.

Introduction & legal matters were read out loud by Mayor Martell.

This was a public hearing to hear three applications. Each application applies to the property known as Burgundy Lane / Syrah Circle, Assessor's Map: 39-08-15-CB Tax Lots 1201 – 1217.

The following applications will be heard by the Planning Commission, in order, but all during the same public hearing.

The Mayor will cover the introduction and legal matters – all of which will apply to each application heard during this public hearing session. The applications are: a. Class C Variance – A request to accept pre-existing non-confirming streets; b. a Comprehensive Plan Update & Zone Change application; c. application for subdivision – Burgundy Lane Subdivision

a. Class C Variance

Conflicts of Interests:

Do any members of the Commission wish to declare a potential or actual conflict of interest or bias? No conflicts were stated.

Ex Parte Contacts:

Do any members of the Commission wish to report any site visits or ex parte contacts?

Councilor Lane has visited the site but made no personal contact. Councilor Miles states they previously trained on the property with the Fire Department; Councilor Dugas stated he resides near this property.

Challenges to the Planning Commissions Jurisdiction:

No challenges were stated.

Challenges to impartiality of any member of the Planning Commission:

No challenges were stated.

Staff Report:

Rowan Fairfield, Contract Planner, RVCOG went over the staff report provided. [A copy of the staff report can be found in the permanent recorded agenda packet for the April 22, 2024 council meeting.] Class C variances shall be processed like Type 4 procedure, using approval criteria in 17.44.050(b). Rowan stated that since we are conducting three public hearings tonight she has separated each application and provided a staff report for each one separately. She will brief council on each staff report but will not repeat sections that are identical for each hearing.

Applicant attended a pre-application conference last October, 2023, submitted their application on February 9, 2024. It was deemed complete on February 23, 2024. Notice was sent to DLCD and to neighbors within 300 feet, and public agencies and was published in the Illinois Valley news. Today is the first hearing. There will be two hearings conducted in compliance with the Type 4 procedures.

This property is currently zoned EGLI. Proposed zoning is SFR. Comprehensive plan shows EGLI so the upcoming zone change will be a change to both the current map and the comprehensive map.

This is a 10.35 acre parcel with 2.18 acres proposed as right-of-way. Access is from Burgundy Lane, a local street. There are two existing stub streets. The subject property was previously a part of a PUD approved in 2006. Streets and infrastructure were designed under those standards. The project was abandoned, and land came to be possessed by the County through legal process in 2020. Currently the land remains vacant. Neighboring land uses include residential, some industrial on Cottage Park Drive. The county has entered into a purchase agreement with the applicant for this proposal.

Staff recommendations of approval were noted.

Staff noted:

A local street, Class 6, typically has 28' of paving width. These streets have 27' - a 1' difference. Sidewalks are narrower by 6" but meet ADA standards, and there will be parking on 1 side only. Second condition of approval, the travel and parking lanes must be easily distinguished, with typical signage or striping and painting the curb next to travel lane red so it is obviously a fire lane with no parking aloud. Third, On the two sharp corners – no parking allowed.

Staff noted that the expense of demolishing the existing streets and replacing streets that would provide a similar level of service is significant and a hardship.

Staff addressed each section of 6.0 Criteria for Approval and found each to be satisfied and/or satisfied with conditions.

Criteria 7.0 – No comments were received as of 4/15/2024. Comments are accepted up to and during the public hearing to include a written comment provided by Marc Page, via email sent at 1:04pm on 4/22/2024, a copy of which was included in this packet and made a permanent part of this hearing.

Applicant's Presentation:

Justin Gerlitz, Gerlitz Engineering Consultants, spoke on behalf of Homebridging, applicant. The project is exciting and will be a benefit to the community. Justin's presentation was prepared for all three applications to be heard tonight so he tried to summarize each pertinent section. The variance requested tonight is for the roadway. The roads are fully improved with curb, gutters, sidewalk with utilities underneath. We are asking for a 1' total width reduction or 6" per travel lane. The applicant is agreement with Fire Marshall's stipulation to restrict parking to one side only. Sidewalks will be 6" narrower than standard. One sharp corner currently has some pavement

which will be removed; corners will be striped no parking; signage with no parking will be installed, thus allowing fire trucks and emergency vehicles to move through safely. Justin provided a power point with google images showing the corners being referenced. In the packet, scaled drawings of existing street sections compared to what would normally be installed. They will be dedicating the right-of-way to the back of the sidewalk; public utility easement will be dedicated a little wider than normal (12' versus 10'). Overall the variance request is very small. Limiting parking to one side of the street will resolve the challenges and the design plans for this subdivision include 2 car garages and driveways (providing ample off street parking) and some additional parking in a central location.

Council Questions:

Councilor Lane: Noticed the inside parking lot. How many spots are there? Justin responded that corners that are paved right now, will be reconfigured into parking stalls; and central parking area, adjacent to the park, will have parking stalls.

Councilor Jones: What type of houses will these be? Justin responded Single Family homes.

Councilor Miles: No questions.

Councilor Dugas: The current damaged sidewalks, will they be replaced. Yes. Any damaged sidewalks will be repaired.

Mayor Martell: No questions.

Public Comment:

Those speaking in support of this Class C variance: None

Those speaking in opposition to this Class C variance:

Josh Bohmker, 373 Burgundy Lane spoke in opposition: Josh lives at the entrance of this proposed subdivision. He states: Basically, this is a narrow street – 27' is tight. He provided pictures to the Council. Josh is in opposition – if there are 31 houses proposed for this site there will be a lot of traffic through a small road. He understood the proposal of only having parking on one side of the street. Ultimately, the other potential egress and ingress points that are not established yet, what is the timeline for those to be completed to lessen the amount of traffic through the narrow bottle neck.

Applicant's rebuttal:

Justin stated that right now what is being looked at is the current the zoning of EGLI as compared to the requested zone change - the next presentation the drawn out change will show that under the current zoning, the traffic impacts will be substantially less. Previously there were businesses with trucking deliveries, traffic traveling in and out for each business, etc. With the no parking on one side of the street (which opens the travel lanes). Regarding timeline – there will be no improvement of the additional access points. We are stubbing access points, which are already stubbed to the adjacent properties. – Those are for future development of the adjacent properties. When those properties develop, they will be required to connect to these roads, which will then give additional access points. This is common for subdivisions – taking into consideration future developments in the area. When originally approved in 2006, the City most likely required the stub outs to the adjacent properties.

Staff Additional Comments: Rowan – none

Alex Ponder, PWD: In response to Josh's questions and confirming what Justin said, those two street stubs will be based on future developments. When that development occurs, the city will require that they tie into those streets. Street width – that section of Burgundy Lane is currently

27' wide. The section just to the south of that is 28' wide, a 1' difference. Alex also added up the houses along Schumacher – Schumacher serves approximately 200 homes. With this development's homes, along Gamay and Merlot, there are still less than 100 homes.

Planning Commission Additional Questions: Councilor Jones: Has there been thought given to the worst-case scenario like a major fire. If there is only one exit, would the people be able to get out? Chief Holmes (sitting in the audience) deferred to this Fire Marshall, Kamron Ismaili, on Zoom. Kamron stated "It will be the same problem at other locations. We will need two accesses. Are they saying they will be able to secure a second access?"

Applicant Rebuttal: Justin stated that right now there are two stubbed streets that will provide future accesses out. Right now, as developed, the property has a single access point with two looped roadways and two stubbed roadways for future extensions.

Justin showed an aerial view of the development. If you look at the location and the surrounding roadways. There is a very short section of this subdivision until you get to the next street. Once you hit those next streets, there are essentially two to three different routes out. It's not a single choke point. In the interim, until one of the adjacent properties develop, there will only be one entrance to the subdivision.

b. Zone Change

The Mayor stated that she would not repeat the legal introduction to this process, they are the same as previously stated, and the "public hearing" was continued to hear the zone change application.

Conflicts of Interests:

Do any members of the Commission wish to declare a potential or actual conflict of interest or bias? No conflicts were stated.

Ex Parte Contacts:

Do any members of the Commission wish to report any site visits or ex parte contacts?

Councilor Lane has visited the site but made no personal contact. Councilor Miles states they previously trained on the property with the Fire Department; Councilor Dugas stated he resides and owns a business near this property.

Challenges to the Planning Commissions Jurisdiction:

No challenges were stated.

Challenges to impartiality of any member of the Planning Commission:

No challenges were stated.

Staff Report

Rowan Fairfield – Contract Planner, RVCOG

Described the application before the Council. A zone change is known as a map and text amendment and is considered quasi-judicial when it involved the application of adopted policy to a specific application, but is legislative when it effects the city as a whole. In this case it is considered quasi-judicial.

[Staff reports are made available in the agenda packet permanently on file with the City Recorder.] Rowan covered criteria for approval, staff's responses, requirements, and conditions recommended for approval.

She noted that the comprehensive plan was written in 1980, has several sections that require updating, but principles are still relevant. Rowan covered consistencies within the comprehensive plan and this zone change.

Section 6.1 – Council determination is required.

Section 6.1.1 – Not applicable

Section 6.1.2 - Future growth anticipated in comprehensive plan were over estimated.

Section 6.1.3 & 6.1.4 - Not applicable

Section 6.1.5 – This proposal has a positive effect with the new common area park to be made a part of this development.

Section 6.1.6 – Staff agrees with applicant’s findings – SFR is less intensive than industrial use

Section 6.1.7 – Not applicable

Section 6.1.8 – This subdivision is less than 1 mile from the city’s public park. Existing community park acreage is adequate for the current population.

Section 6.1.9 – Staff agrees with applicant’s findings. EGLI lands are in excess supply. DLCDC contacted the city and the city is aware that it must begin the process to update Goal 9.

Section 6.1.10 – Proposal will have a positive effect on available housing.

Section 6.1.11 – City water and sewer, fire, garbage, storm and surface drainage is adequate, proposal will meet storm drainage standards as a condition of approval.

Section 6.1.12 – Applicant provided a trip generation estimate by an Oregon registered engineer that demonstrates that the proposed SFR zoning would likely create fewer trips than if the site were fully developed to EGLI standards.

Section 6.1.13 – New building is encouraged to take advantage of solar exposure.

Section 6.1.14 – Current comprehensive plan does not provide much guidance, however based on location criteria above, this site is appropriate for low density residential use.

Section 6.2 – Pending approval of the comprehensive plan amendment for land use designation change and variance for nonconforming street sections, the proposal complies.

Section 6.3 – Comprehensive plan written prior to 1980, anticipations did not occur and are inconsistent with today’s realities.

Section 6.4 – This proposal does not significantly affect a transportation facility. Hanby Lane and Old Stage Road are classified as “collectors” which will handle 150 to 2,600 vehicles per day, per the Federal Highway Administration.

Staff recommended three conditions of approval:

1. Comprehensive Plan Map reassigned to “residential” for TL# 1201 thru 1217
2. Current zone TL# 1202 – 1209 & 1211 – 1217 reassigned to SFR
3. Current zone TL# 1201 – 1210 reassigned to multi-family residential

Applicant Presentation:

Justin Gerlitz, Staff report provided detailed presentation. For tonight, most important criteria is effected by the city not growing as anticipated. In addition, this was originally rural residential zone, changed to EGLI for a particular use, and now this project proposes residential when in fact the property sits in the middle of residential zones. Justin continued his presentation with slides showing current comprehensive maps and changes that have occurred. Key to this proposal is that the State of Oregon is suffering from an extreme housing shortage, particularly on the West Coast. Expanding the local housing is vital, and something that Homebridging does – these houses will not be sold at market rate. They will be reduced substantially, allowing our local work force affordable homes to be purchased.

Commission questions:

Mayor Martell: Asked about designation of multi-family housing. This was in the staff report and allows the Commission the option if desired. Justin stated that this project is purely SFR.

Lisa Richardson, City Planning Clerk reminded the Commission that if there were a zoning of Multi-family, SFR are still allowed in that zone as long as the lot size minimum of 13,000 square feet.

Applicant rebuttal:

Justin stated that using the existing infrastructure provides was adhered to carefully. Lot sizes were designed to meet location of existing services, driveways, etc. Larger lots would potentially reduce the number of homes that could be constructed.

Chad Hansen, Applicant reiterated that the only way they are able to build these homes at workforce pricing is because of generosity. Private builders would be way more expensive. Chad's organization received advantageous mortgage rates for buyers. Their homes are sold at reduced rates and still it is difficult for local workers to buy them. Chad continued sharing information about the expenses in the industry and the challenges.

Public Comment:

Those speaking in support of this zone change: None

Those speaking in opposition to this zone change:

Commission Questions:

Councilor Miles: Commented that she is on the Josephine County Housing Council and feels that we need more multi-family housing.

c. Subdivision

Staff Report:

Rowan Fairfield, Contract Planner, RVCOG presented. [Staff report is available, made a part of the permanent record with the City Recorder] this is the third staff report of three tonight, specific to the subdivision application. All criteria are based on the variance and zone change presented previously, being approved.

Noted: Section 6.3 Street Layout – Staff report states this street layout is pre-existing but nonconforming. If the application for variance is approved, then the Commission and Council can find that this criteria has been met.

Conflicts of Interests:

Do any members of the Commission wish to declare a potential or actual conflict of interest or bias? No conflicts were stated.

Ex Parte Contacts:

Do any members of the Commission wish to report any site visits or ex parte contacts?

Councilor Lane has visited the site but made no personal contact. Councilor Miles states they previously trained on the property with the Fire Department; Councilor Dugas stated he resides and owns a business near this property.

Challenges to the Planning Commissions Jurisdiction:

No challenges were stated.

Challenges to impartiality of any member of the Planning Commission:

No challenges were stated.

Applicant presentation:

Justin Gerlitz, reiterated most information presented this evening. Originally this was approved to be a 14 lot, master planned community primarily intended for senior handicapped, assisted living facility. Living quarters, offices and care. That project failed after infrastructure and final plat were completed. We intend to reorient these lots, utilize the existing infrastructure, use the original master planned park, and add interconnecting pathways connecting the central park to all the residents. This will include, with various approvals, the existing roadway infrastructure, parking on one side, and 37 SF homes. In the northeast corner is the original stormwater detention pond which will be maintained.

During the pre-app for this project, staff requested a traffic analysis to show the differences between the original proposal and what is being proposed today. We compared this project to the original project – we also looked at undeveloped or partially undeveloped roadways – in this case, everything directly around it has been improved and connects to collector roadways, which are capable of increased traffic, and it also connects to the State Highway. The increase between the two projects is a little over 2% (to the State Highway), and just within the project is a little over 5%. There are no known transportation safety issues at the adjacent intersections.

We are requesting to waive the requirement for a traffic impact analysis. A TIA would be a burden both in time and money to the applicant and the recommendations provided by a TIA would most likely not provide any distinct recommendations. The opportunity to bring families into the community is high in this location.

Council Questions:

Councilor Lane: Appreciates the amount of detail that goes into these applications. Regarding Section 6.4 Applicant states that water, sewer, & storm were inspected by City. Was there any reasonable deterioration currently that would require repairs, and if so do those repairs fall to the applicant or the City?

Justin – Mainlines were designed by an Engineer. All was built to city standards. Applicant plans to correct any deficiencies when it comes to service locations or water services (meters). All services will be moved if they do not sit at front of properties. Where driveways don't line up we will replace those driveways as necessary.

Alex Ponder, PWD, the City just completed inspecting, with a camera, the sewer system – it is in excellent shape. Water system is all plastic pipe with lots of life remaining. Stormwater should be in perfect shape as well.

Councilor Miles: Concerned about traffic. Would like to see a traffic analysis.

Councilor Dugas: What is the average home size? 1500 sq.ft. with a 2-car garage. Dugas doesn't believe that the engineer... agrees with Rowan. A TIA is needed. Comparing it to a build project that was zoned and plotted for something else almost 20 years ago, is not an apples to apples comparison. The primary point of contention is the single egress/ingress – this will have a choke point.

Public Comment:

Those speaking in support of this zone change: None

Those speaking in opposition to this zone change:

Staff Questions: None

Commission Questions: None

The City Recorder stated that the public hearing for these three applications will be conducted on again (2nd of 2) on May 01, 2024, here at City Hall, at 7:00pm.

The Mayor closed the public hearings and reconvened the Council meeting.

5. Executive Session – ORS 192.660 (2)(b,f,h) {As/If Required}

6. COMMENTS:

City Recorder:

The next meeting (Special) will be held on Wednesday, May 1, 2024 @ 7:00pm to hear session 2 of the public hearings.

The next regular council meeting will be held May 13, 2024 also here in the chamber at 7:00pm.

Councilor Lane: Attended all the regular meetings this month. As we continue to grow in our community, we should consider maybe installing another traffic light at Hanby.

Councilor Jones: Is concerned about the lack of lighting at intersections, particularly the intersection at Caves Hwy and Hwy 199 is very poor – pedestrians cannot be seen. The rules of the splash pad will be discussed at the next Parks & Rec meeting on May 2, 2024. Loves hearing about increased housing in our community.

Councilor Miles: We are in need of more housing and multi-family housing.

Jean Ann Gems: Everything happens for a reason. That reason causes change. Sometimes it hurts. Sometimes it is hard. But in the end it is all for the best.

Councilor Dugas: Housing is needed in the entire state. He understand the want and need to make the process as seamless as possible. We just remember that it is our job to remember that all the Ts are crossed and I are dotted. Not setting the city up for failure in the future is our job.

Mayor Martell: Thanked everyone for participating. Very excited about seeing some affordable development.

8. ADJOURNMENT: Meeting adjourned at 8:49PM

Signed: 
MEADOW MARTELL, Mayor

Attest: 
REBECCA PATTON, Recorder