

**Minutes of the Planning Commission  
Of the City of Portland**

Held on Wednesday, August 11, 2021 at 7:00 P.M.  
In Council Chambers at City Hall

Portland Planning Commission Members Present: Fitzsimmons, Johnston, Williamson, Hinds, Roeser, Kmetz

Absent: None

Staff: City Manager Gorman; City Clerk Miller

Guests: Paul LeBlanc, AICP of PLB Planning Group

Chair Fitzsimmons called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

There was no public comment.

Motion by Kmetz, supported by Williamson, to approve the proposed Agenda.  
All in favor. Approved.

Motion by Williamson, supported by Johnston, to approve the minutes of the July 14, 2021 meeting as presented.  
All in favor. Approved.

Chair Fitzsimmons opened the Public Hearing at 7:01 P.M.

City Manager Gorman stated the purpose of the Public Hearing is to consider a proposed revision of Division 8, O-R Office/Research Form-Based District, Section 42-280 of the Code of Ordinances for the property located at Cutler Rd. and Grand River Ave.

Mr. LeBlanc noted that he made changes to the proposed ordinance based on the discussion of the Planning Commission at its meeting on July 14, 2021. Those changes have been incorporated into the document presented for consideration tonight.

Chair Fitzsimmons noted the written comments received by Terry Frewen for the record. (The written comments were distributed to the Planning Commission and are attached to approved minutes.)

There was discussion of the written comments.

In response to no parking guidelines for a Brewery/Distillery, Mr. LeBlanc noted that there are several permitted uses that do not have designated parking requirements. There is a specific provision in the parking chapter that states the Zoning Administrator will make the determination based on the closest use.

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In response to no parking guidelines or definition for Live/Work Units, Mr. LeBlanc noted that the requirements for a Live Unit is defined. The parking requirement for the Work Unit cannot be designated as the potential business is unknown. The definition of Live/Work Unit will be addressed when the current Ordinance is revised.

In response to a potential contraction of the width/depth ratio, Mr. LeBlanc explained how the ratio is determined and noted that “maximum width/depth” ratio will be added to the ordinance to address the confusion.

In response to removing the Indoor Recreation Facility uses but not the parking requirements, Mr. LeBlanc noted that was an oversight on his part and he will remove the parking requirement for this particular use from the ordinance.

Mr. Frewen suggested a limit to the percentage of various siding options (vertical siding, sheet metal, cement board, EIFS) rather than not allowed.

Mr. LeBlanc noted that he tried to make adjustments to this provision of the ordinance based on the previous discussions of the Planning Commissions. Further adjustments can be made.

There was discussion.

The Planning Commission concurred that language should be added to Section (1) b. that these siding options should be allowed on any side not facing a public or private street.

The Planning Commission discussed Mr. Frewen’s request that a “Use” Variance be added to the ordinance.

There was discussion.

Mr. LeBlanc stated the current ordinance is contradictory. In one section a Use Variance is prohibited and, in another section, there are standards to allow it.

City Manager Gorman stated that he is verified with legal counsel that a Use Variance is not allowed.

Mr. LeBlanc stated the purpose of a Use Variance is to address a property that is zoned such that a reasonable use of a particular property cannot be found under its current zoning; so, there is no property value. He stated the solution to this type of issue is to rezone the property or amend the ordinance to allow that particular use in that area.

There was continued discussion.

Chair Fitzsimmons closed the Public Hearing at 7:35 P.M.

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Under New Business, the Planning Commission considered the proposed revision of Division 8, O-R Office/Research Form-Based District, Section 42-280 of the Code of Ordinances for the property located at Cutler Rd. and Grand River Ave.

Motion by Kmetz, supported by Williamson, to approve the proposed revision of Division 8, O-R Office/Research Form-Based District, Section 42-280 of the Code of Ordinances for the property located at Cutler Rd. and Grand River Ave. with the noted change to Section (1) b. that siding options (vertical siding, sheet metal, cement board, EIFS) should be allowed on any side not facing a public or private street.

All in favor. Approved.

City Manager Gorman provided an update on the Rindlehaven property. Mayberry Homes has expressed interest in rezoning the entire area to R-2 while reserving approximately 20 acres next to The Brook for commercial. An application for these changes is expected at any time.

City Manager Gorman provided development updates on various projects happening throughout the City of Portland.

City Manager Gorman stated the Planning Commission will welcome back Mike Culp next month.

There were no Planning Commission member comments.

Motion by Kmetz, supported by Williamson, to adjourn the meeting at 7:51 P.M.

All in favor. Approved.

Respectfully submitted,

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Jason Williamson, Secretary