

Minutes of the CWNA Regular Board Meeting

November 14, 2012

The CWNA Board meeting was called to Order by Vice-Chair Jim Gattey at 7:10 PM. A quorum for a regular board meeting was confirmed which requires a minimum of four (4) members present which included Board Members Jim Gattey, Judy McKrell, Bill Padgham, Steve Giardini, Stephanie Uetrecht, Shannon Bassett and Pam Sullivan.

Guests at the meeting included Dave Bassett and Bob Brell.

Minutes of the October 14, 2012 Annual General Membership & Election Meeting were approved unanimously following a motion from Giardini.

Board Meeting Minutes Acronyms:

BPRD – Bend Parks and Recreation District

BDC-Bend Development Code

CMSTF – Cascade Middle School Crosswalk Task Force

COB – City of Bend

CWNA – Century West Neighborhood Association

CWNA BOD – CWNA Board of Directors

NA – Neighborhood Association(s)

NART – Neighborhood Associations Roundtable

TSAC – City of Bend Traffic Safety Advisory Committee

Old Business

1. Membership – Report by McKrell. The current member count is 612 in 352 households. New memberships are coming in via the mailer as well as the online web site form.
2. TSAC – Report by Gattey. Gattey reported that he can no longer head this committee as of this meeting. A new representative is needed from CWNA to attend this meeting which is held the second Tuesday every three months. The focus of this committee is to prioritize citizen service requests/complaints and discuss speed issues in various neighborhoods. The New Business section of the minutes details the appointment of a new CWNA TSAC committee representative, Bill Padgham.
3. Land Use – Report by Brell. Written report attached to the end of the meeting minutes.
 - a. Development Code Amendment to Modification of Approval Section 4.1.1325 was discussed. If this topic does go to the planning commission (expected in January 2013), CWNA will submit an objection to the proposed change.

Motion: CWNA objects to the potential code change proposed by City of Bend Community Development Department to modify Section 4.1.1325 Modification of Approval based on the same arguments put forward by Michael Reeder, attorney for the Athletic Club of Bend, in his letter dated October 26, 2012 addressed to Colin Stephens, Planning Director, Community Development, COB.

All board members voted in favor of this motion.

- b. UUFCO (Unitarian Universalist Fellowship of Central Oregon) project was discussed. This project is detailed in the attached Land Use report. Brell requested a motion to approve signing off on UUFCO's application to expand the COB UGB (Urban Growth Boundary) to include Deschutes County Tax Lot 500, Section 36, Township 17S, Range 11E, the site for UUFCO's proposed house of worship.

Motion: CWNA approves the application submitted by UUFCO to modify the UGB to include Deschutes County Tax Lot 500, Section 36, Township 17S, Range 11E.

All board members voted in favor of this motion.

4. Website – No report.
5. Noxious Weed Eradication – No report.
6. Finance – Report by Padgham. The account balance is currently \$593.79 after annual meeting expenditures and miscellaneous expenses. Note the yearly grant allocation to CWNA is \$2282.00 from COB. The website is the only foreseeable expenditure between now and the end of the accounting year (June 2013).
7. NART – Report by Gattey. Gattey reported that he can no longer head this committee as of this meeting. This meeting is held the third Thursday each month from Noon-1pm. The focus of this NART is to provide neighborhood feedback to the City Council. Gattey expressed the desire for this group to grow and become more united.

NART is also providing structure to help with the neighborhood association liability insurance project.

8. BPRD – No report.
9. CMSCTF /Century Drive Project –Report by Padgham. Students are still crossing Century Drive without using the crosswalk. The task force is working to update communication information to handout to parents/students at a later date.

10. Open board member positions – Ward # 3 representing Mt. Bachelor Village and Touchmark, Ward # 3 representing Commercial Zones and Member-at-Large Position # 10 are currently open. The Board discussed the following “house-keeping” changes. Gattey submitted his resignation from Ward #5 which represents Broken Top and The Reserve at Broken Top. Sullivan submitted her resignation from Ward #11 which is a Member-at-Large position.

Motion: Appoint Sullivan to fill Ward #5 and Gattey to fill Member-at-Large Position #11.

All board members voted in favor of this motion. Gattey and Sullivan abstained from voting.

New Business

1. Election of Officers, Board Members and Committee Heads
 - a. Discussion occurred about having co-chairs rather than Chair and Vice Chair. The board agreed to the idea of co-chairs.

Motion: The CWNA board to elect the following Board Members to officer positions to lead the CWNA Board of Directors: Steve Giardini and Pam Sullivan as Co-Chairs, Stephanie Uetrecht as Secretary, Bill Padgham as Treasurer.

All board members voted in favor of this motion.

- b. Discussion occurred about filling the empty Ward #10 Member at Large seat vacated by Brell. Brell agreed to continue serving as a board member and Land Use Committee Head. He also agreed to continue to fill the role of Member e-communications until a replacement candidate can be found.

Motion: Bob Brell shall be appointed to fill the Member-at-Large Position #10.

All board members voted in favor of this motion.

- c. Discussion occurred about filling the committee positions.

Motion: The following appointments were made. The Land Use Committee Head shall be Bob Brell, the Membership Committee Head shall be Judy McKrell, the TSAC and CMSCTF representative shall be Bill Padgham, the NART representatives shall be Pam Sullivan and Steve Giardini and the BPRD liaison representative shall be Steve Giardini.

All board members voted in favor of this motion.

There being no further business to conduct, a motion was made and seconded to close the meeting at 9:10 PM. All board members voted in favor of this motion.

Prepared and submitted by Stephanie Uetrecht, CWNA Secretary

To the CWNA Board. The following is submitted as the November 2012 Land Use Committee Report and the same is requested to be made a part of the Minutes of the November 14, 2012 General Meeting.

Century West NA Land Use Committee: Bob Brell-Head, Rich Ray and Ken Schofield.

1. UUFCO (Unitarian Universalist Fellowship of Central Oregon) held a Public Meeting on September 27, 2012 to discuss their proposal to expand the City of Bend UGB (Urban Growth Boundary) for a parcel of land of approximately 12.44 acres located on the SE corner of the intersection of SW Skyliners Road and SW Skyline Ranch Road. The purpose of the proposed expansion is to obtain City of Bend sewer and water services so that a house of worship can be constructed. No development is proposed at this time. The site is located in the City of Bend Limits and is zoned UAR (Urban Area Reserve) which allows for churches and houses of worship among other structures as a Conditional Use. An application for Conditional Use review will be submitted if and when the UGB expansion is approved and a building design is completed. CWNA was notified of the Public Meeting and was present along with several neighbors living adjacent to the UUFCO property. CWNA subsequently signed off in late October on the application to expand the UGB to encompass the UUFCO property.

2. Demolition Landfill on Simpson Avenue. Deschutes County, owner of the former Demolition Landfill located on Simpson Avenue totaling 71.52 acres and other adjacent owners of abutting property known as T18-R12-S6 Tax Lots 2000 and 2100 (4-R Equipment and Robinson Revocable Trust) totaling 42.66 acres, and Tax Lot 109 (Bend Metro Park and Recreation District) totaling 5.61 acres propose a master plan concept to convert the properties to urban mixed uses. There is nothing new to report since October 2011. The project named the "Westside Framework Plan" proposes to rezone for future development approximately 120 acres consisting of Residential (25.31 acres), Mixed Use (45.69 acres), Mixed Use/Commercial (7.04 acres), Mixed Use/Commercial/Industrial ((15.39 acres), Commercial (5.26 acres), Industrial (15.5 acres) and Parks (6.1 acres) On June 10, 2010 a Public Meeting was held seeking comments. CWNA requested a further Public Meeting. Deschutes County's representative, Susan Ross, Property Facilities Director, agreed to this request. The first pre-application meeting was held during August 2011. Deschutes County expects 1-2 additional pre-application meetings with the City of Bend. Sewer issues loom as a major "uphill battle" in front of the rezoning request. On 10-29-11, The Bulletin published an article which stated, " Deschutes County plans to install a new gas monitoring system...to better track whether gas from decomposing materials is migrating off

the landfill." The new gas sensors, required by Oregon's Department of Environmental Quality, will be installed on adjacent privately owned property at a cost of \$24,000 for the easement and will replace sensors swallowed up when decomposing areas of the landfill collapsed several years ago. "Monitors need to be installed...to gage whether landfill gas is migrating off the site and onto neighboring properties. Gas can be a problem if it drifts off the landfill because it can explode." For additional information contact Susan Ross, Deschutes County Property & Facilities Director 541-383-6713 or email susan_ross@co.deschutes.or.us

3. Site Plan Review of a new driveway connecting The Athletic Club of Bend with Century Drive. On June 16, 2010, LUBA affirmed the City of Bend's ruling and upheld the City's hearings officers decision that denies petitioner's application for site plan approval for a new driveway onto Century Drive, a city arterial street. The Applicant was entitled to judicial review of LUBA's order and appealed LUBA's ruling to Oregon's Court of Appeals. On November 24, the Appeals Count remanded the ruling back to LUBA over-turning LUBA's ruling. On February 2, 2011, LUBA issued a Final Opinion and Order; the Final Order remanded the decision to the Hearings Officer for further consideration consistent with the Court of Appeals decision and the LUBA decision on remand. It is our understanding the Applicant has the option to re-apply under the COB Development Code in place prior to the present Development Code. The Applicant has taken no further action as of November, 2012. The file, PZ 09-155, may be seen at City Hall or questions may be directed to Amy Barry, Associate Planner at 541-693-2114 or abarry@ci.bend.or.us.

4. Legislative Amendment to the Bend Development Code, Section 4.1.1325 Modification of Approval. The City of Bend Community Development Department has proposed to modify Section 4.1.1325 Modification of Approval which among other things would give a property owner within a master plan or PUD that was approved more than twenty years ago the option to use their property under the rules of the current Bend Development Code, if they wish, as an alternative to the previously approved Master Plan or PUD. Members of the public including Neighborhood Association representatives were invited to a meeting at City Hall on October 17, 2012 to review the proposed changes and ask questions. CWNA was represented at the meeting. Colin Stephens, Planning Manager, in response to the question regarding time-line, indicated the City's proposal would come before the Planning Commission presumably on November 26, 2012 as the PC Meeting on November 12, 2012 has been cancelled.

Subsequent to the October 17 meeting, attorneys for the Athletic Club of Bend corresponded with the Community Development Department expressing their view that the City should either "abandon" the proposed code amendment or at the very least slow down the timeline based on insufficient notice to all interested and impacted parties.

5. Development Code Tune-Up # 6. The Community Development Department is proposing a package of text amendments to clarify and streamline various provisions in the Development Code which regulate the City's Non-Residential Zoning Districts. These include Chapter 1.2, Definitions; Chapter 2.2 Commercial Districts; Chapter 2.3 Mixed Use Districts; Chapter 2.4, Industrial Districts; Chapter 2.5 Surface Mining Districts; and Chapter 2.6, Public Facilities Districts. Comments from the Neighborhood Associations and others who use the Code have

been requested before the City conducts the required Public Hearings. CWNA has reviewed the proposed text changes and commented.