MINUTES
Planning Commission - Regular Session Meeting
Wednesday, December 11, 2019 North Plains Senior Center 7:00 PM

COMMISSION MEMBERS: Chairperson Stewart King; Vice Chairperson Heather LaBonte
Planning Commissioners: Tom Hauth, Lonnie Knodel, Ryan Landon,
Doug Nunnenkamp, John Vater

COMMISSIONERS ABSENT: Commissioner John Vater excused

STAFF PRESENT: City Manager Andy Varner, City Recorder Lori Lesmeister, City
Planner Heather Austin

OTHER:
1 CALL TO ORDER at 7:00 pm
2 PLEDGE OF ALLEGIANCE
3 ROLL CALL
   a) Commissioner John Vater excused.
4 PUBLIC COMMENT: None
5 APPROVAL OF MINUTES:
   a) Review and approval of November 13, 2019 Regular Session Minutes

   Motion to approve the November 13, 2019 Regular Session Planning
   Commission Minutes with the correction that Commissioner Heather LaBonte
   was not in attendance at the November 13, 2019 Planning Commission Meeting
   Moved by Commissioner Knodel. Second by Commissioner Hauth.
   Motion was approved unanimously.

6 PUBLIC HEARING:
   a) Continuation of File 19-060 Roll Tide Glencoe (Taco Bell) Design Review

   City Planner Heather Austin recommends a continuation to the January 8, 2020
   Planning Commission meeting as we have not yet received the traffic impact analysis
   information. The applicant reported that the information will be available mid-
   December which would allow the Planning Commission time to review it prior to their
   January meeting.
   No public testimony.
   Consensus of all Planning Commission member to continue the Public Hearing to a
   date certain of January 8, 2020.
b) **File 19-125 Holmstead Subdivision Review**

Chair King stated that he had a conflict of interest as he is involved in the process of this subdivision, so he turned the chair over to Vice-Chair LaBonte. Representing the applicant: Steve Kay, Cascadia Planning & Development Services, PO Box 1920 Silverton, OR 97381. Mr. Kay stated he would like to discuss two conditions that are in the Staff Report. The first is the shared driveway. Applicant requests that under Condition of Approval prior to approval of the plat #1 it be amended to state "the applicant shall submit to City Planning a revised site plan illustrating that proposed off street parking will be provided outside of all required side and rear yards, as measured from the reciprocal access easement serving lots 1-6." Applicant intends to provide required parking for these lots using two car garages in the rear driveways of the dwellings. Applicant is also proposing optional off-site improvements to NW 322nd Avenue which correspond with the conditions of approval #3 and 4 in the Staff Report. Completion of these improvements would require moving a fire hydrant and water meters at NW 322nd & Cottage Street. Applicant says these were previously installed in the wrong locations, so applicant requests that the first sentence of recommended condition #6 be amended to state "if existing water facilities such as fire hydrant and valve boxes must be relocated when completing optional conditions #3 & 4 the City shall reimburse the developed for those costs." Applicant accepts all other conditions of approval as stated in the Staff Report.

Temporary Chair LaBonte asked about the 'optional condition' wording. City Planner Austin said that the wording is based on guidance from Washington County and we have precedence as this wording was used with the Global Electric approval earlier this year.

No proponent testimony.

No opponent testimony.

Neutral testimony: Aeron Braukman PO Box 195 North Plains, OR 97133. Mr. Braukman feels the offsite parking proposal should be looked into. He also feels consideration should be made for the applicant's request to be reimbursed if the fire hydrant and/or valve boxes needs to be moved. Mr. Braukman lives adjacent to the property that will be developed and is excited to see the proposed improvements, but has concerns about the rights of way. Braukman specifically mentioned Exhibit 4 Item P-4, the preliminary plat that shows the right of way for 322nd Avenue at 60' width, which meets the code requirements, with improvements going north to Cottage Street, but he said the northern half of 322nd appears to be 7' 7" narrower that the rest of the proposed improvement. This leaves a 52' 5" right of way, which will not be compliant when the property to the west is developed in the future. Braukman quoted the City Municipal Code 16.150.105, as well as 16.150.025. Braukman then said that there is a discrepancy on Exhibit 4 Item P-6, in that the detail does not match the narrative. Detail number two shows a cross section where the curb and sidewalk are tight, but the narrative from the developer describes a sidewalk with a planter strip between the curb and the sidewalk with the plot plan also showing it that way. Braukman asked for clarification as to which one will be used, and assumes it will be the one that meets the public works design standards and stated in the narrative.
Temporary Chair LaBonte asked City Planner Austin that in the case of the rights of way, which takes priority if there are conflicts; the city's Public Works standards or Transportation System Plan standards? Austin said that the city engineers actually use both of the documents.

Stewart King, 31470 NW Commercial Street North Plains, OR 97133. With regards to the last testimony, King noted that the 60' right of way requirement in the Code is for new streets, the street in this instance is an existing right of way. King said that the way this street was formed and dedicated, it was short on the northern portion of it and he does not know how that came about. King said that he spoke to both Public Works and the City Engineer to find out what would standard would be best in this situation and they talked about the 38' pavement with parking on both sides and curb-tight sidewalks on the east side so that the sidewalk would be straight. The subdivision would have a planter strip because there is extra space there, but without dedication from the two properties to the north it could not be the full 60'.

Steve Kay agreed with the explanation that King gave.

Temporary Chair LaBonte asked how we should handle the condition of reimbursement to the developer if valve boxes and a fire hydrant need to be moved. Austin said because it is an 'optional' improvement, if the developer chooses not to do it, it will fall to future development and developers cost.

Wayne Holm, owner/applicant, 15209 NW Mason Hill Road North Plains, OR 97133. In order to develop the property, Holm says that they do not need to continue the improvements from 322nd Avenue to Cottage Street. As the owner, Holm feels that street should be put in and he is willing to spend the money to do that, but feels that the fire hydrant and valve boxes being in the wrong location and possibly needing to be moved is the responsibility of the City as a matter of principle. Holm said that if the city is not willing to pay to have the hydrant and boxes moved, he will do the improvements only to the end of his proposed development.

Mr. Braukman spoke again referencing Code 16.150.010-G on improvements on existing streets. Temporary Chair LaBonte reminded Mr. Braukman that we are only speaking about the subject property on the east side of 322nd Avenue. Anything else that the applicant chooses to do is a courtesy as a condition. Mr. Braukman's concern is that they will be developing it without the consideration of the city code standards. LaBonte said that if the city chose to do the improvements it would require going to those property owners for deduction, so that is what this developer is proposing; developing it outside of the property line. City Planner Austin said that the pavement width that is in the right of way is in the code.

Close Public Hearing at 7:43 pm.

Commissioner Knodel is in agreement with the reimbursement for the moving of the hydrant and boxes, but has concerns about not having a commitment of what the cost would be to the city in advance. City Manager Varner said he would like to have the need to move the equipment verified by the Public Works Director as well as the City Engineer, who could also provide some kind of estimate on the cost of the work. City Planner Austin has a question regarding the first proposed condition change regarding off street parking outside of the rear and side yards, but then having driveways in the rear yard that would not be available for parking. Austin feels that the code section is speaking specifically to a 'parking lot' space, not a residential driveway parking space.
Move to approve File #19-125 based on the findings and conclusions contained in Exhibit A and subject to the conditions of approval contained in Exhibit B, which are attached here with the agreed upon Notice of Decision.
Moved by Commissioner Knodel. Second by Commissioner Hauth. Motion was approved unanimously.

c) **File 19-126 Richards Ridge Design Review**

Public Hearing opened at 8:09 pm
No conflicts of interest or ex parte contact declared.

City Planner Heather Austin said conditions are being met with the proposed condition from city engineers MurraySmith to request to add 'removal of the two aerial power crossings and be replaced with underground crossings.' The applicant was notified of this condition request earlier in the week and Austin did not hear anything from the applicant regarding the request. So Staff recommends approval with the conditions as stated in the staff report as well as the additional condition just mentioned this evening.

Jon Reimann with JPR Consulting, 14512 NW Oak Shadow Court, Portland OR 97119, applicant, is in agreement with the staff report findings and the proposed conditions. Mr. Reimann showed a PowerPoint presentation of the plans to the commissioners. He also had material boards for the commissioners to look at.

Kent Richards, PO Box 1069 North Plains, OR 97133, property owner.

Questions and discussion ensued. Mr. Richards noted that regarding the removal of the two aerial power crossings, they will be 'abandoning' them, with all 'new' access being underground. Mr. Richards also said he had spoken to Austin about the property owner's to the west requesting that there be a fence on the property line rather than a hedge. Applicant is in agreement with this request. Commissioner LaBonte asked Austin which standard will be followed with regards to sidewalks on a collector street. Austin said there is a 5' minimum sidewalk, according to the Transportation System Plan (TSP). LaBonte feels it should be a consistent width with what is in place in the downtown area now.

No proponents.
No opponents.

Neutral: City Planner Austin read into the record an email from Rodney Linz, property owner to the west of the applicant's property requesting that the city request a fence be put on the property line rather than a hedge. Austin noted that the applicant addressed this issue earlier and is in agreement with the request to install a fence between the two properties rather than a hedge.

No rebuttal.
No discussion.
Close public hearing at 8:42 pm.

Point of Order - City Planner Austin requested that on page 174 condition 1.h be added for removal of the two aerial power crossings and power to the site be provided underground.
Move to approve File #19-126 Richards Ridge Design Review with the modification to the conditions to remove two aerial power crossings and any/all new to be placed underground
Moved by Commissioner LaBonte. Second by Commissioner Nunnenkamp. Motion was approved unanimously.

7 NEW BUSINESS:
   a) Elections for Planning Commission Chair and Vice-Chair for 2020
      * Nomination, 2nd, Vote
      Move to nominate Stewart King for Planning Commission Chair for 2020
      Moved by Commissioner Nunnenkamp. Second by Commissioner LaBonte. Motion was approved unanimously.
      Move to nominate Heather LaBonte as Vice-Chair for Planning Commission for 2020
      Moved by Commissioner Nunnenkamp. Second by Commissioner Knodel. Motion was approved unanimously.

8 UNFINISHED BUSINESS:
   a) City Planner Austin said there will be a Code Language work session in January. Commissioner Landon asked if the work session will address the issue regarding the north subdivision that was brought up at last month's meeting. Austin said, yes, the developers of the north proposed it and are paying for staff time to do the work to update the code.

9 LAND USE APPLICATIONS PREVIOUS 30 DAYS
   a) Current Land Use Applications

10 PLANNING COMMISSION COMMENTS: None

11 STAFF COMMENTS
   a) City Planner Austin said she will get the code language information to the commissioners prior to Christmas so that they can review it over the holidays. It can then be discussed during the work session prior to the regular meeting on January 8, 2020 with a Public Hearing at that meeting. Commissioner LaBonte asked specifically about the Model Home portion of the code that will be discussed. Austin said she copied Washington County's wording on Model Homes. LaBonte has concerns that six model homes is too many as she witnessed development fails and developers going completely out of business during the 2008 recession and doesn't want that to happen here. Austin said that we have 'noticed' DLCD with January 8, 2020 as the earliest we can have a Public Hearing on it, but if it is decided during the work session that it is not ready for approval there is time to push it to the February meeting.
12 ADJOURNMENT: 8:55 pm

Submitted by:

[Signature]
Lori Lesmeister, City Recorder

Date Minutes Approved Jan 8, 2020