MINUTES
Planning Commission - Regular Session Meeting
Wednesday, January 8, 2020 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:

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) All Commissioners in attendance. Ex Officio City Councilor Trista Papen

4 PUBLIC COMMENT: None

5 APPROVAL OF MINUTES:
   a) Review and approval of December 11, 2019 Regular Session Minutes
      
      Motion to approve the December 11, 2019 Regular Session Planning Commission
      Minutes.
      Moved by Commissioner LaBonte. Second by Commissioner Vater.
      Motion was approved unanimously.

6 PUBLIC HEARING:
   a) Continue Public Hearing - Roll Tide Properties - Proposed Taco Bell

   Public Hearing originally opened at the November 13, 2019 Planning Commission
   meeting. It was then continued to allow the applicant to do a Traffic Impact Analysis
   for the Glencoe Rd. / NW Pacific Street intersection. That analysis was done in
   December, with the document being sent to City Planner Heather Austin on
   December 26, 2019 for review. Staff noted that there is an additional conditional use
   recommended to gather a fee in lieu from the applicant for the impact to that future
   intersection improvement as determined by an estimate in the Transportation System
   Plan (TSP). Austin said she would be remiss in not noting that Staff feels that
   $380,000 for intersection improvements is low for future improvement. Austin spoke
   to legal counsel and staff and they agreed that they feel most comfortable
recommending that any fee in lieu be based on an assessment off of the TSP numbers. That number is $64,600, which is 17% of the $380,000 per the applicant's stated impact for that intersection in the future. All other conditions of approval from the previous staff report remain the same and staff recommends approval of this application with those recommendations of approval and the fee in lieu.

Questions and Discussion ensued, including topic of Washington County possibly putting a roundabout or a traffic signal in that intersection in the future and who will be responsible for that cost. City Planner Austin reported that there is a revised memo from Washington County included in the packet and the conditions in that memo are also reflected in the recommended conditions in the staff report. Discussion also included the possibility of forming a Local Improvement District (LID) in the future.

Applicant:
Matt Newman, NW Engineers, LLC and Dave Vandehey, Roll Tide Properties. Vandehey has some concerns about the fee in lieu and what that fee will be. Austin said the fee in the recommendation is what it would be at this point. Vandehey would like the opportunity to have further discussion with the City Manager on this item. He would like this to be a condition of approval so that things can move forward without a negative effect on the 180 day timeframe.

No Proponents
No Opponents
No Neutrals

Commissioner Vater asked how to come to an agreement on what the fee in lieu is. Austin said that the applicant requested that their traffic engineer meet with City Manager Vamer and the city's engineer, as well as a traffic engineer to discuss the issue that the applicant has with the number of pass-through trips and how it affects the percentage of their responsibility for the intersection.

City Planner Austin said there is a condition in the findings that reads: Prior to Issuance of a Final Certificate of Occupancy, Completion of construction of required improvements to the intersection of NW Glencoe Road and NW Pacific Street as identified in the Traffic Impact Analysis or pay a fee-in-lieu of improvements.

Austin recommends amending that condition to read: Prior to Issuance of a Final Certificate of Occupancy, pay a fee in lieu of Glencoe Road/Pacific Street intersection improvements to the City of North Plains in an amount to be determined by the City Manager.

Public Hearing closed at 7:37 pm

Move to approve Roll Tide Properties Design Review, File #19-060, including conditions as amended this evening

Moved by Commissioner LaBonte. Second by Commissioner Nunnenkamp. Motion was approved unanimously.

b) **File #19-127 Zoning Code Text Amendments**

Before opening the Public Hearing Chair King asked for clarification on which items, specifically, will be addressed in this public hearing. Austin said we should be looking at 16.045 (F)(3) and 16.170 this evening for sure. It was agreed on by the
commissioners to bring back 16.210 to a future meeting as there is no rush on it at this time, but will open the Public Hearing for all of the chapters in the notice at this meeting.

It was then discussed to put the items discussed during tonight's public hearing under File 19-127A, and the others still in File 19-127 under File 19-127B. Open Public Hearing at 7:51 pm for File 19-127A and File 19-127B. Commissioners will only be addressing File 19-127A on Chapters 16.045 (F) (3) and 16.170 at this time.

Stacy Connery Pacific Community Design 12564 SW Main St. Tigard, OR 97223. Regarding the NC Table and the zero foot setback for alley loaded product, the zero foot setback was intentional to allow for cantilevered floors so that the structure could overhang the setback area, with the 20' being for the garage setback. City Planner Austin said she will correct the notation on the table. Regarding the Model Home procedure, Connery asked if we had looked at the City of Tigard’s procedures for River Terrace, where their language bases the number of model homes on the size of the project and they also require what is similar to a Performance Bond that the City holds in case the developer fails to perform. This bond provides a fund for the City to use to demolish the model homes should the developer walk away from the project before it is completed. Connery will provide the complete language for the River Terrace project to City Planner Austin. To address the need to have the permits for model homes before the plat recording, it is a timing issue so that the model homes are completed when the subdivision is completed.

Commissioner LaBonte asked if this will be coming back with the R and NC Zones language in the next six months and if it will, will that require it to be re-noticed. Austin said she will make it clear why we are sending just these two sections to City Council as an emergency and that the Commission will be bringing forward additional language changes to the code to Council in the coming months.

Commissioner Vater asked for clarification on 16.170. Austin said that her recommendation was what was in the packet being presented in addition to what was added during the discussion in the work session.

Commissioner Nunnenkamp asked if Clean Water Services would be developed at the time the model homes are developed. Austin said that all utilities that would support those model homes will be in place, including Clean Water Services. Austin also said that applicable service provider letters will be included in the requirements for all types of land use submittals.

Consensus of commission to close the Public Hearing on File 19-127A and continue the Public Hearing on File 19-127B.


Recommend approval of File 19-127A, Zoning Code text Amendment and forward it to City Council for approval at their regularly scheduled meeting on January 21, 2020

Moved by Commissioner Vater. Second by Commissioner Nunnenkamp.

Motion was approved unanimously.
7 NEW BUSINESS:
   a) Commissioner Vater asked if there is a way to insure that business lots be connected for vehicular traffic. City Manager Varner said that on existing businesses we cannot require it, it is up to the businesses to come to an agreement between themselves. The only way it can be done is if it is a condition in the agreement up front. Discussion ensued.

8 UNFINISHED BUSINESS:
   a) There will be a 6:00 pm work session before the February 12, 2020 meeting to continue discussion on File 19-127B. Brief discussion on other issues that will be addressed including the fact that with an Urban Growth Expansion coming, it will require additional code work.

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

10 PLANNING COMMISSION COMMENTS
   a) Commissioner Knodel said he needs some assistance with the iPad that the city provides to him for the meetings because he can't see page numbers in the packets. City Manager Varner will take a look at it after the meeting and see what can be done.

   Commissioner Knodel also has concerns about the city’s Transportation Systems Plan (TSP). He feels that it has several flaws in it and it is also outdated at this point. Varner said that the TSP can be amended and we can also have another traffic engineer review numbers in the report. Varner also said that with a UGB expansion coming we will probably be looking at doing another TSP in the next five years or so. Discussion ensued.

   Commissioner Nunnencamp noted that there is a temporary flashing sign on the west side of Glencoe near the intersection with Commercial. He has a concern with the speed at which it is flashing, as it can be very distracting. He doesn't think that it meets our sign code.

   Commissioner LaBonte said that the Washington County Board of Commissioners had a hearing on Monday regarding vacating the one acre parcel in the southeast corner of the Brynhill property on North Avenue that was previously a cemetery. She has a few concerns about their process and how the site will be monitored during the development process. An archeological study was done and nine test sites were done on that one acre parcel. It was noted in the meeting that in the event anything is discovered (culture materials, human remains, etc.) all work must stop immediately. LaBonte asked how that will be monitored during the development of the property. City Manager Varner said that he will have to look into that, but that the city engineer will be out checking on things regularly, as well as public works employees when they are out and about. Discussion ensued.
11 STAFF COMMENTS: None

12 ADJOURNMENT at 8:36 pm

Submitted by:

[Signature]
Lori Lesmeister, City Recorder

Date Minutes Approved 2/12/2020