MINUTES
Planning Commission - Regular Session Meeting
Wednesday, May 12, 2021 VIA ZOOM 7:00 PM

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

COMMISSIONERS ABSENT:

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

OTHER:

LOGIN INFORMATION TO ATTEND VIA ZOOM

Join Zoom Meeting
https://us02web.zoom.us/j/88209429310?pwd=dGtDMzhRZ2dYNHlYK29TOE5HZFI4UT09
Meeting ID: 882 0942 9310
Passcode: 469206

Call in (no internet)
253-215-8782
Meeting ID: 882 0942 9310
Passcode: 469206

CALL TO ORDER at 7:00 pm

ROLL CALL

Commissioner Hauth excused
Ex Officio Councilor Cameron Martinez

PUBLIC COMMENT:

Eight year old North Plains resident said that she feels trees are important and that we should not cut them down in town just because of small bumps in the sidewalk. She would like to ask the city to quit cutting down trees
Ariel Goodwin, North Plains resident, requested that there be a code adjustment to protect existing structures from vibration damage and also requests that the developers of the Brynhill Development area carry vibration insurance. Goodwin said she requests that best practices are used with regards to this issue and that the
methods the company has been using to date are an OSHA violation. She would also like to see the hours of work being done that is causing the vibration and noise issues be cut for livability reasons. Goodwin also stated she opposes the density increase in the townhomes planned in the Brynhill subdivision based on lack of sufficient infrastructure in the city, school capacity for North Plains Elementary school and traffic safety issues. With regards to sidewalks Goodwin (her eight year old daughter spoke on trees and sidewalks above) said that the city code does not specify the height sidewalk 'bumps' that would cause the need for resolution. Goodwin feels there are bigger safety issues like nonfunctioning crosswalk signals, lack of sidewalks in general and inadequate traffic management that should be dealt with before minor bumps in sidewalks that could be clearly marked rather than taking more overt action. Goodwin feels because of Covid-19 it is unfair to put the burden of hiring someone to do repairs on sidewalks on residents at this time and would like to see the city work on getting a company that would do the work at the lowest cost and provide a 'bulk discount' cost that the city could then charge back to the residents on some type of a payment plan so that the cost is more manageable to residents. Goodwin also feels that there is a conflict of interest in that the vendor that the city hired to identify trouble areas in town is also the same vendor that is recommended to provide resolution to those trouble areas. Goodwin then asked that all residents that received a letter regarding needed repairs be sent another letter from the city putting the need for repairs on hold until this situation can be resolved between the Planning Commission and the City Council. Goodwin feels that the Brynhill work being done on North Avenue and on 309th Avenue presents more of a safety issue than these small sidewalk issues. Goodwin said that tree removal should not be an option and she feels that the City bears some responsibility in these issues as the city's code does not require root barriers and does not specify tree types to be planted. She feels that if the City would address the lack of clarity on these issues it will prevent problems like this in the future.

City Manager Andy Varner said he has been in communication with several residents regarding this topic.

Larry Gonzales, North Plains resident, agrees with everything that Ariel Goodwin said. He said he had a 40' tree that was to be taken down according to the letter received from the City but it was unclear who, within the city, he and other residents could speak to regarding this issue before taking action. He said it was difficult to get with an arborist, a concrete company, etc. that would be required to address the issue within the timeframe given in the letter from the city. He would like to see some other options provided to the residents considering the financial strain that many are under due to the Covid pandemic. Gonzales said that with regards to the vibrations from the work at the Brynhill site, he had a home inspection done in October so that he would have a baseline on the state of his house at the beginning of that construction. He will come back to present any information on damage to his home once construction is completed in the area.
APPROVAL OF MINUTES:

Review and approval of April 14, 2021, Regular Session Minutes

Motion to approve the April 14, 2021 Regular Session Planning Commission Minutes.
Moved by Commissioner Knodel. Second by Commissioner Nunnenkamp.
Motion was approved unanimously.

PUBLIC HEARING:

BRYNHILL ROWHOMES & MASTERPLAN REFINEMENT
Files 21-016 and 21-017

Open Public Hearing at 7:17 pm.
No Ex Parte contact, conflict interest or bias stated.
City Planner Heather Austin gave the Staff Report and noted that she received an email from Marlo Eckert, resident, stating that her stance in 'no' on the Brynhill Rowhome and Master Plan Refinement.
Austin noted that along with the conditions noted in this evening's staff report, any conditions of approval that were in place in previous Brynhill approvals, including the Master Plan, Development Agreement(s) or Land Use decision, continue to apply to this file.
Chair King asked if these two files need to be looked at together or can they be done separately. Austin said they can be done separately if the commissioners so desire. Commissioner Nunnenkamp asked if the change requested actually changes the building count. Austin said no, it only applies to the percentage number.
Stacey Connery, Applicant - Pacific Community Design -12564 SW Main St. Tigard OR 97223 went over a brief PowerPoint presentation showing why they feel that the North Plains market would benefit from 3-bedroom, 2-car garage rowhomes rather than the normal 2-bedroom, single car garage that most rowhomes have.
No proponents.
Opponents:
Ariel Goodwin, 30845 NW Brooking Court, North Plains, OR 97133. Goodwin has concerns that adding that additional bedroom to the rowhomes (going from 2-bedroom to 3-bedroom in the interior homes) will have a significant impact on schools as well as traffic in town.
Larry Gonzales, 30880 NW Brooking Court, North Plains, OR 97133. Gonzales agree with the statement that Ariel Goodwin made. Gonzales has concerns that the additional cars will have a large impact on traffic, especially on North Avenue.
Gonzales asked about the set-back on the rowhomes.
No neutral testimony.
Applicant Rebuttal:
Ms. Connery said that this request does not actually increase the density numbers from the original Master Plan. Connery addressed the traffic issues noting the transportation improvements that will happen on 309th & North Avenue as well as including a turn lane on Glencoe and North Avenue a little later on in the phasing.
With regards the setbacks, the rowhomes around the park area will have 10' setbacks. The homes along North Avenue will also have a 10' setback as well as a 10' landscape tract with trees and shrubs and 10' yards.

Commissioner Knodel said that in his opinion taking these rowhomes from 2-bedroom/single garage to 3-bedroom/double garage diverts them from affordable home status. Knodel also has concerns about parking issues because it will be difficult to pull a car into those garages from the alley if there is already a car in the driveway.

Close public hearing at 7:41 pm.

Commissioner LaBonte said that in the original plans when the rowhomes were planned as 2-bedroom/single garage homes the Commission make special recommendations to allow parking on North Avenue because of that. LaBonte stated that applicant wants to make them 3 bedroom/2-car garage homes due to 'market conditions' and LaBonte wonders if those market conditions are what is best for North Plains.

Chair King said that parking on North Avenue was already predetermined in the Transportation Systems Plan and he doesn't feel that the change requested will have any effect on that.

City Planner Austin clarified that the Commission can require that percentage of lot coverage can stay the same (80%) and the homes can still be changed from two to three bedrooms and single to double car garage because the lotting pattern is already set.

Commission Nunnenkamp said he would like the homes stay true to what is considered affordable housing.

Re-open Public Hearing at 7:53 pm prior to vote on File 22-016.

David Force, applicant, Lennar Homes 11807 NE 99th St. Vancouver, WA 98682

Mr. Force is fine with voting on the files separately, as they do not want to extend both files if there is approval for one but not both at this meeting.

Ms. Connery addressed a couple of the concerns that were voiced by commissioners; these rowhomes are compatible with the surrounding neighborhood as well as the market in the area. They are different than single detached homes so therefore have a different audience that they are marketed to. Also the original parking plan provided more than the city's required parking spot, and with two car garages it leaves the parking areas on North Avenue open to visitor parking.

Close public hearing at 7:57 pm.

Move to approve File 21-016, Design Review application with all dimensional standards of the NC Zoning Code applicable

Moved by Commissioner LaBonte. Second by Commissioner Nunnenkamp

Motion was approved unanimously.

Move to deny File 21-017, Master Plan Refinement because it does not stay with the current code requirement of 80%

Moved by Commissioner LaBonte. Second by Commissioner Nunnenkamp

Motion was approved unanimously.
NEW BUSINESS:  NONE

UNFINISHED BUSINESS:

City Planner Austin asked if the commissioners would like to continue their code update discussion at a work session prior to the June meeting. All were in agreement.

LAND USE APPLICATIONS & 3J MONTHLY REPORT

Land Use Applications
3J Monthly Report - May 2021

PLANNING COMMISSION COMMENTS

Commissioner LaBonte asked if anyone had any information on the Recology public meeting. LaBonte said that she believes that the people that gave public comments tonight were directed to do so via social media and she is wondering if there is a way to direct people to the correct department/city board/meeting in situations like this, as the Planning Commission really isn't the body that sidewalk and street tree issues should be directed to. Chair King requested that City Manager Varner address this during staff comments.

STAFF COMMENTS

City Planner Austin said there is a UGB Expansion Public Meeting Monday, May 17, 2021 at 6:00 pm.

City Manager Varner said that with regards to the sidewalk and street tree issues he suggested to those residents that he spoke with to attend a City Council meeting to voice their concerns during the public comment time of the meeting. They chose to do so at tonight's Planning Commission meeting.

Varner said that city staff did not testify at the Recology public meeting, nor did Mayor Lenahan.

ADJOURNMENT:  8:08 pm

Submitted by:

Lori Lesmeister, City Recorder

Date Minutes Approved:  June 9, 2021