



MINUTES

PLANNING COMMISSION - REGULAR Session Meeting

Thursday, November 12, 2015 North Plains Senior Center 7:00 PM

COMMISSIONERS PRESENT:

Chairperson Stewart King; Vice Chairperson Heather LaBonte
Planning Commissioners: Garth Eimers, James Fage, Larry Gonzales, Lonnie Knodel, Doug Nunnenkamp

STAFF PRESENT:

Director of Public Works/City Manager Blake Boyles, City Recorder Margaret Reh

1 CALL TO ORDER

Chair Stewart King called the meeting to order at 7:00 p.m.

2 PLEDGE OF ALLEGIANCE

Chair King led the Planning Commission in the flag salute.

3 PUBLIC COMMENT: None were forthcoming

4 APPROVAL OF MINUTES:

- a) Review and approval of October 14, 2015, Regular Session Minutes

Motion to approve the October 14, 2015 Regular Session Planning Commission Minutes. Moved by Commissioner Eimers. Second by Commissioner Fage. Motion was approved unanimously.

5 PUBLIC HEARING:

- a) File No. 15-108: Jeffrey Jensen owner, North Plains Acreage, LLC-Lot Line adjustment to facilitate expansion of North Plains RV and Self-Storage

King explained that the Planning Commission will conduct two Quasi-judicial public hearings. King requested the reading of the quasi-judicial hearing process statement for these hearings.

King opened the public hearing for File No.15-108 Lot Line Adjustment and Design Review for North Plains Acreage (North Plains RV and Self-Storage) at 7:06 p.m.

King called for personal bias, ex parte contacts or any conflicts of interest by any Planning Commissioner. Hearing none, he asked if anyone in the audience challenged any of the Commissioner from hearing this case. There were none.

King asked for the staff report. Heather Austin, City Planning from 3J Consulting, presented the staff report that was included in the Council Agenda Packet. Additional

information was submitted at this meeting from Naomi Vogel, Associate Planner from Washington County. Washington County is suggesting additional requirements be added as conditions of approval for this project. 1.) Dedication of additional right-of-way to provide for a total of 45 feet from centerline of NW West Union road; 2.) Obtaining a right-of-way permit for the construction of a sidewalk, along West Union Road, aligning and graded to County standards; 3) access restriction needs to be recorded with the County to ensure County access restrictions are being met along the subject site's frontage of NW West Union Road.

King asked the applicant to come forward. Jeff Jensen, representing North Plains Acreage, 11375 NW Blackhawk Drive, Portland, OR 97229, presented his application to the Commission. A copy of the application was included in the Agenda Packet. A short discussion ensued.

King asked for any proponents, opponents, or those neutral to testify to the public hearing. None were forthcoming. King asked if there were any further comments or discussion from the Commissioners. There were none.

King closed public hearing at 7:14.

Motion to approve application for File No.15-108 Lot Line Adjustment and Design Review for North Plains Acreage, subject to the conditions that were previously listed in addition to the conditions submitted by Washington County. Motion was passed unanimously. Moved by Commissioner LaBonte. Second by Commissioner Eimers Motion was approved unanimously. Austin will compile the conditions of approval and prepare them for signature and distribution to interested parties.

- b) File No. 15-105: Kemmer Meadows-Mike Eggiman-Owner. 27 Lot Subdivision in R-2.5 Zoning District

King opened the public hearing at 7:15 p.m. for File No.15-105 North Plains Center/Mike Eggiman Owner for a 27 Lot Subdivision commonly referred to as Kemmer Meadows.

King called for personal bias, ex parte contacts or any conflicts of interest by any Planning Commissioner. Hearing none, he asked if anyone in the audience challenged any of the Commissioner from hearing this case. There were none.

King asked for the staff report. Heather Austin, City Planning from 3J Consulting, presented the staff report that was included in the Council Agenda Packet. Austin stated there was a mistake in the staff report in that it states there would not be a flag lot in this development. Lot 25 will be a flag lot. Austin addressed the standards involved with the flag lots and the conditions that must be met. There will need to be adjustments to the surrounding properties to allow for flag lot conditions to be met. There was also a discrepancy in the tax lot number for the site that was reference by CWS. Austin addressed this and stated it would be listed in the conditions of approval

for the property.

Discussion ensued regarding Tract B that was submitted in the application. The Planning Commission wants this to be a public street instead of a private drive. All the public street standards will need to be met. Other issues were discussed. The Planning Commission would like to have sidewalks on both sides of the street. Due to the width of the street there will only be room to park on one side of the street since sidewalks will be installed on both sides of the street.

A brief discussion ensued regarding naming this short public street. It could be an extension of 307th and be assigned addresses within the sequence used on the north/south portion of 307th in this development. Or it could be given its own street name.

Discussion on the slope of the property, drainage, and how the development will be graded to transition from the commercial property to residential.

Clarification of street improvements were made. Discussion ensued.

An inquiry was made if the developer was planning on installing perimeter fencing throughout the development.

Discussion ensued regarding Tract A. This is a walkway access that will allow connectivity and access from 307th to the commercial property once it is developed. This tract also breaks up the block width which satisfies the block length standard. It was suggested, but never agreed upon, that a temporary walkway be constructed at this time to connect the west end of Tract A all the way through to Glencoe Road. This would provide pedestrian connectivity from this development to Glencoe Road until the commercial property is developed.

The required half street improvements will take place on the frontage of the applicant's property on NW Kaybern Street. Discussion ensued regarding any improvements that will take place along the rest of Kaybern Street. Any additional improvements that the Commission would want to impose need to take what is roughly proportionate to the development into consideration. The developer is willing to install an asphalt pathway from the development to NW Glencoe Road along the south side of NW Kaybern.

The structures that are straddling the property will be taken down.

Following correct protocol of the public hearing process, King asked for proponents, opponents and anyone who is neutral to testify for or against this application. The only member of the audience to come forward was Mark Hamburg, 30620 NW Kaybern Street, North Plains, Oregon, who stated he was not really for or against but

had issues with the improvement to Kaybern Street that he wanted to address. He has a safety concern as his children use Kaybern to walk up to Glencoe Road to meet their school bus. He is concerned with the increase in traffic with this development. It will not be safe for his children to walk up to the bus stop.

Hamburg is also concerned with the water run-off and drainage issues that may occur by replacing the existing pervious surface of the gravel road with an impervious surface. He inquired how this water run-off would be addressed.

Hamburg expressed concerns with his property line which abuts the applicant's property. He pointed out that his house, which was built in 1914, is situated very close to the property line. Hamburg is concerned about issues that may arise if normal standards are applied with the installation of fencing.

Comments were made during Commissioners comments regarding the construction of the short street and connectivity to any future development. It was stated that the applicant's property abuts McKay Creek. Hamburg clarified that it is actually Hamburg's property that is next to McKay Creek. He felt the short street could have been stubbed in for future development.

Hamburg also addressed issues with the intersection of Kaybern Street with Glencoe Road. With it being so close to the intersection at Glencoe Road and Commercial Street, it can be very difficult to make a left turn toward Hillsboro. He is concerned with how traffic will back up with this new development.

King asked for rebuttal from applicant. Ken Sandblast responded to the questions and issues that were raised.

Chairperson King closed the public hearing at 8:08 p.m. and asked for deliberation.

Motion to recommend approval of File Number 15-105 Kemmer Meadows with conditions contained in the staff report as well as the amendments from the attachment today. Would also like to throw in a condition of like fencing in the development along the eastern and western boundaries of the site; further condition additional sidewalk on both sides of the east/west short street; include a small path suggested to separate pedestrian from vehicle access from Kaybern out to Glencoe Street. Moved by Commissioner LaBonte. Second by Commissioner Nunnenkamp Motion was approved unanimously.

6 NEW BUSINESS:

a) File No. 14-014: Final Plat Subdivision Plat Review-McKay Creek Crossing

Austin provided the staff report with the conditions for approval for the final plat approval for the McKay Creek Crossing subdivision. Austin identified items the

developer must address. This final plat will need to go before City Council. Council will need to approve the designation of the road identified as a public right-of-way and approve the Planning Commission Chair to be designated the signatory and acceptor of the plat.

There was a question regarding the correct File Number for this item. The correct File No. is 14-014 as Austin had reflected in the staff report.

Motion for the approval of final plat 14-014 with the conditions to require a title report; require a list of any liens or taxes outstanding and send staff to City Council to accept the right-of-way dedication and designate Planning Commission Chairperson Stewart King as the plat signatory. Moved by Commissioner Eimers. Second by Commissioner Gonzales. Motion was approved unanimously.

- b) Review application for Doug Nunnenkamp for renewal of appointment to the North Plains Planning Commission and make recommendation to City Council.

Motion to recommend to the City Council the reappointment of Doug Nunnenkamp to the North Plains Planning Commission for an additional four year term. Moved by Commissioner Fage. Second by Commissioner Gonzales Motion was approved unanimously.

- c) Discussion on process for assigning code restrictions for marijuana facilities.

Austin presented the staff report. Per the Planning Commission's request at their last meeting, Austin researched code of other cities which have allowed the sale of marijuana. Discussion ensued regarding the state buffering requirements for marijuana facilities and the code restrictions the North Plains Planning Commission may want to impose.

Direction to staff was to work on developing code showing that retail uses would only be permitted in C-2; apply a buffer to Jessie Mays so we won't allow anything on Commercial Street; maintain the State required 1000 foot buffer to the elementary school; add in the buffer to the Hillsboro School District property site in the east development; allow processing and manufacturing as we would allow other processing and manufacturing in the industrial zone.

7 UNFINISHED BUSINESS:

- a) Comprehensive Plan: Review Code revisions from subcommittee in preparation for presentation to Council for Comprehensive Plan.

Chair King asked for clarification of the status of preparing the Municipal Code chapters for the public hearing in December. Staff has notified DLCD that we are opening this discussion to public hearing with Planning Commission again. Staff received the revised documents from the Planning Commission subcommittee. The subcommittee decided they would not submit the chapters on annexation and Planned Unit Developments at this point in time.

Discussion ensued regarding the issue with Chapter 16.150 Street Standards which has allowed the choice to use Washington County street standards or North Plains Public Works Street Standards. Austin will clean up that chapter for the public hearing on December 9, 2015.

Discussion ensued regarding moving the permitted uses to conditional uses in the residential zone chapters. There was also clarification that the Planning Commission wants to proceed with the code change of increasing the minimum lot size in R-2.5 zone.

Discussion regarding limited land use decision with a right-of-way street dedication vs. no street dedication. If the applicant is not doing dedication of a public right-of-way, the application will be reviewed as a Type II decision which can be addressed administratively. The code has slightly differing language in different sections. Austin will clean up the language and have that ready for submission.

Discussion ensued regarding the Final Plat approval process. The code reads that the final plat of a development must be viewed by the Planning Commission and if it includes a public right-of-way dedication decision the final plat must also go before the City Council. The final plat rarely varies from preliminary plat. If it is clear that there were no changes from the preliminary plat and the final plat it could easily be approved administratively. Chris Crean asked how much of the city resources to we want to put into something that could be a simple administration decision.

The subcommittee ran into a number of items that they wanted further direction from staff and legal. The subcommittee will work on compiling a list of questions they ran into and submit them to staff for clarification.

The subcommittee felt the chapter on Planned Unit Developments was so lacking in direction that they would like to get direction from some developers. Discussion ensued regarding having this in the code.

Staff will have packet materials will be ready by December 2, 2015 for review prior to the public hearing scheduled for December 9, 2015.

b) Discussion and review of flowchart of the legislative amendment process

Commissioner Eimers had requested a flow chart to discuss where we are at in the process for the Comprehensive Plan. Austin walked the Commissioners through the flow chart.

8 PLANNING COMMISSION COMMENTS

The Planning Commissioners asked questions regarding a few items they have seen around town. Boyles will follow up on those items.

A brief discussion ensued regarding the Planning Commission being responsible to provide a public input report to the City Council. This will need to be discussed as an agenda item at a future meeting.

9 STAFF COMMENTS

No additional staff comments were provided.

10 ADJOURNMENT:

The next Regular Session of the Planning Commission is scheduled for Wednesday, December 9, 2015. It is currently scheduled to be held at the North Plains Senior Center. Chair King adjourned the meeting at 9:41 p.m.

Submitted by:



Margaret L. Reh, City Recorder

Date Minutes Approved 12/09/2015