

**CITY OF NORTH PLAINS PLANNING COMMISSION
REGULAR SESSION MINUTES
NOVEMBER 13, 2013, 7:00 P.M.
NORTH PLAINS SENIOR CENTER
31450 NW COMMERCIAL STREET**

1. Chairman King called the meeting to order at 7:02 pm.

2. The pledge of allegiance was led by Chairman King.

3. **ROLL CALL**

Commission: Chairman Stewart King, Vice-Chairperson Heather LaBonte, Commissioners Ethan Hagar, Jeff Low, Doug Nunnenkamp and Daryl Olson and Ex-Officio Robert Kindel present. Commissioner Aeron Braukman unexcused absence.

Staff: City Planner Carole Connell and Account Clerk II Pam Smith present.

4. **PUBLIC COMMENTS**

None.

5. **CONSENT AGENDA**

October 9, 2013 Regular Session Minute Approval. LaBonte moved to approve the October 9, 2013, Regular Session minutes as written, Nunnenkamp seconded the motion and they were approved unanimously.

6. **PUBLIC HEARING**

A. Approval of Major Modification to a Preliminary Subdivision Plat and Master Plan Refinement, File # 13-041. King requested the reading of the quasi-judicial hearing process statement. Following the reading of the rules, King opened the Public Hearing at 7:07 p.m., and called for abstentions, ex parte contacts or any conflicts of interest by any Planning Commissioner. King noted he had attended a meeting on Tuesday, which was a contact, but no new information was gathered. The audience had no questions for, nor objections to, any Commissioners. King asked for the Staff Report to be read.

Carole Connell, representing DeBry, went over the Staff Report noting the original plan (plan 1) would no longer work because of a change in the way wetlands are now handled compared to the way they were addressed in 2008. The 8.4 density standard was met in the original 2008 approved plan with the 108 lots. The ideal mix is considered to be 40% large lots, 40% medium lots and 20% small lots. (This is based on the percentage of usable area acreage.) The 2008 plan ended up with a mix of 31% large lots, 31% medium lots and 37% small lots. Planning Commission agreed to that mix as it met the "approximate" mix. The subdivision was not built at that time due to the condition of the market and the economy.

This year the applicant came back with a revised plan (plan 2) to take into account the change in the way wetlands are now handled and the City had some issues with this new plan. The City felt the plan was not in compliance with the comprehensive plan, policies, code, original Master Plan or the intent. Connell related that most of the issues had to do with Neighborhood Community (NC) zoning which was a unique designation and something the City had not used yet.

The concept of the NC zone was of a complete neighborhood with housing of various styles, types, and prices, which included public uses, and ideally some retail uses. Connell said with a change in the protection of wetlands since the original plan was submitted, the size of the wetlands in this subdivision quadrupled, resulting in a loss of active land. The issues needing addressed included meeting the 8.4 units per acre density standard, a better mix of housing sizes, a plan for the circulation interrupted with the removal of two East-West streets by the enlargement of the wetlands area and the loss of part of the park area..

The applicant came back with a third plan and, as of November 12, 2013, an even more refined plan (plan 4) which would be presented. Priorities included meeting the 8.4 density standard, the wetland consideration, and having housing meet the "approximate" 40-40-20 desired mix. Some of the conditions of approval involved the addition of a trail plan to improve circulation and the naming of streets to reflect the City's history as well as be consistent with numbered streets in both the City of North Plains and Washington County.

Connell related how two decisions were to be made at this meeting; the Major Modification to the Plat and the Refinement of the Master Plan. She felt the applicant was in the best position to tell the Commission how the plan had changed and how the issues were solved.

Before calling the applicant forward, King asked about the discrepancy in the acreage with two different numbers being stated and he asked for clarification. Mr. Gast said it was 69.87 acres, not 68.9. LaBonte stated that Washington County had not been presented the partition plat and wondered how the Planning Commission could be reviewing it without the plat having been approved by Washington County. Connell related how the staff report stated the permits were at county and it was not uncommon to sometimes do the work concurrent since all of the processes are long and dependant on each other. It is a requirement for Washington County to approve the plat.

King asked the applicant to come forward. Fred Gast, Polygon Northwest Company, 109 E. 13th Street, Vancouver, WA 98660, explained the refinement of the plan from 2008 to today and address the challenges his staff faced.

The approved 2008 plan met the density of 8.4, and the mix. With the change since then, the applicant formulated Plan 2 to address the wetland's new requirements and presented it to the City in the summer. It met the 8.4 requirement and addressed the wetlands requirements, but the City wasn't happy with the mix and the compromising of the large lots by making them smaller. Plan three met the 8.4 density standard and the wetlands requirements, improved the mix by bringing back the large lots, but the City was still not happy with the number of small lots. The final plan met the 8.4 density, addressed the wetlands issue, and revisited the mix, reducing the number of lots from 108 to 104. There was a loss of 8 small lots, a gain of 4 medium lots, and the same number of large lots remained. The City staff was happy with the final plan that is being presented to the Planning Commission tonight.

The Subdivision (phase 1) was originally approved in 2008 at a mix of 44-39-17 with the new submitted plan being a mix of 48-29-23. The original overall Master Plan, involving both phase one and phase two, was approved in 2008 with a mix of 31-31-37; the new plan is 32-26-41. Mr. Gast confirmed all the housing in phase 1 would be single family residences.

Kindel asked about the City allowing flexibility on the numbers. Mr. Gast said the 8.4 density requirement was a fixed number, the wetlands requirement is a fixed situation, but the 40-40-20 mix is flexible. Connell said "approximate" means there could be a little flexibility such as asking for 4% less small lots, another 5% medium lots, etc.

Mr. Gast said that there had to be a tradeoff for usable ground once the wetlands requirements changed in order to maintain the 8.4 density. He noted reducing the size of the park allowed the City to keep the large lots and meet the density standard. The subdivision would now have a smaller park but a large open natural area in the wetlands. King asked if crossing the wetlands would be allowed. Mr. Gast stated that the Army Corp of Engineers and the Department of State Land were not eager to allow people in the wetlands but the reality is a path would probably be made. It's likely with a good plan in place, they may see the logic in allowing it. With the approval of Clean Water Services (CWS), the wetlands will be fenced, probably with a split rail type fence, and some signage will be put up to keep people out.

Once the explanation was given on the new numbers and mix, Mr. Gast made a presentation of pictures of the different architectural styles of houses being considered for the subdivision. The large, medium and small lots would be of the same mix with architectural styles including French, Tudor, English and Craftsman. The small lots would have shared yard easements instead of traditional yards. As part of the Home Owners Association (HOA) there would be an easement agreement between neighbors for the use of the 5' side yards so that each home would have 10' of usable

space on one side, instead of 2-5' spaces, one on each side. The sales process would state the expectations to buyers. There would be an HOA Liaison to help facilitate this usage. Over the last decade this has been done in prior builds in Hillsboro, Wilsonville and Beaverton without been any problems. The houses would not have a lot of side windows or low windows to insure privacy. The front yard would be maintained by the HOA for consistency.

Mr. Gast related how the houses would have a variety of roofs on the front and in the back on alleyways to add more interest and would include standard two car garages. Alleys would be private streets with the garage to the alley line measuring 3' which meets the standard.

LaBonte asked about the new size of the park. Mr. Gast said it was originally 2 acres and now measured approximately 1 acre. The original park had some property removed to increase usable ground in order to allow for building and to maintain the density. There would be additional open space in the wetland area, the school and the small pocket park. There could be no more open areas without compromising the large lots.

Kindel asked Mr. Gast to explain the wetlands costs. Mr. Gast related how there are federal, state, local, CWS, etc. rules to be followed when mitigating the wetlands area and each varies. Most involve mitigating on site what you can and writing a check for the amount unable to be mitigated. The developer had to write checks to multiple agencies to get this done.

LaBonte asked about the reference to Tract A possibly being used for a water easement. Connell noted if that area was needed for water storage, it would be done underground. Kindel noted City Council, knowing a reservoir would be required in the future, was in discussion about, and looking at, three sites along West Union Road. A decision had not yet been made but this was an option he was not aware of.

Most Conditions of Approval for both applications involve the usual technical requirements and most were previously approved. The trail plan was deemed important as a condition to both applications. Mr. Gast asked that condition #2 under the Master Plan be removed since the dry sanitary sewer line is no longer required as it was a leftover from the 2008 plan. Connell suggested the wording be change to read "subject to Clean Water Services if necessary."

King called for Commission questions. Hearing none and with no individuals present wishing to testify, King closed the public hearing at 8:16 pm.

With no deliberation, King entertained a motion. Low moved to approve file 13-041 to

approve a Major Modification to the Preliminary Subdivision Plan and Master Plan Refinement with conditions. Olson seconded the motion and it was approved unanimously.

7. **UNFINISHED BUSINESS**

Comprehensive Plan Discussion. DeBry was not present at the meeting, so this item was tabled until the next meeting.

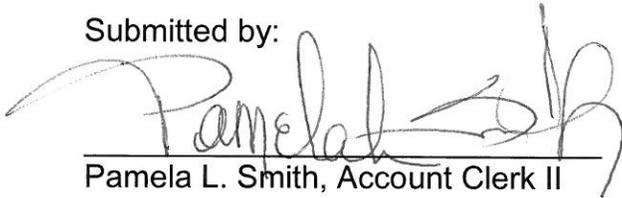
8. **STAFF REPORT**

With DeBry not present, there was no staff report.

9. **ADJOURNMENT**

King noted the next scheduled meeting to be November 13th and adjourned the meeting at 8:20 pm.

Submitted by:



Pamela L. Smith, Account Clerk II

Minutes Approved: 12/11/13

