



## PLANNING COMMISSION

Meeting Notes of August 2, 2017

Members present: Jim Farrell, Lamont King, Charles Mathews, Joel Metlen, Carrie Pellett, Bill Relyea and Gary Walvatne.

Members absent:

Staff present: John Williams, Community Development Director; Darren Wyss, Associate Planner and Tim Ramis, City Attorney

(00:00:00)

### **WORK SESSION - CALL TO ORDER**

Chair Walvatne called the meeting to order in the Council Chambers at City Hall.

(00:00:32)

### **PUBLIC COMMENT RELATED TO LAND USE ITEMS NOT ON THE AGENDA**

Randall Fastabend spoke.

(00:08:08)

### **FOLLOW UP DISCUSSION OF "ITEMS OF INTEREST FROM THE PLANNING COMMISSION" COMMENTS FROM JULY 19, 2017**

#### **A. FINAL DECISION AND ORDER DISCUSSION**

Mr. Wyss opened the discussion with a recap of the previous meeting and an overview of the documents in the agenda packet.

Mr. Ramis walked the commissioners through the options available for handling the final decision/withdrawal dilemma.

Commissioner Relyea suggested temporarily using a pre-prepared decision while proceeding with the code amendment.

Vice Chair Mathews doesn't think the options are viable. Mr. Ramis explained the most likely option would be to put a withdrawal deadline in the code.

Commissioner King questioned whether or not a change was needed since last minute withdrawals (like Cornwall Street) had only happened twice in 10 years. His suggestion is having staff prepare the final decision and order the next business day after the decision, thus eliminating days for a withdrawal to be made.

Mr. Williams noted that drafting the final decision is an involved process for staff and the attorneys when the case is complex. The turnaround time may be a few days.

Commissioner Farrell asked if the motion can be crafted to serve as the final decision and order. Mr. Ramis outlined what that would need to include, allowing that in theory it could be possible, although difficult.

Commissioner Pellett feels the ability to withdraw should be tied to the close of the evidentiary hearing.

Commissioner Metlen stated that he doesn't see this as a huge reoccurring problem. He is disappointed that the commission's reasons for denial are not in writing.

Vice Chair Mathews agrees that the ability to withdraw should be tied to the close of the evidentiary hearing.

Chair Walvatne compares this to a civil suit and also agrees that the ability to withdraw should be tied to the close of the evidentiary hearing and noted a change in the appeal process could make a difference.

Commissioner Relyea asked if the applicant could have asked for an extension so they could come back with suggested changes in order to get to an approval.

Vice Chair Charles Mathews **moved** to ask City Council to amend the code to eliminate the ability to withdraw after the close of the public hearing.

Commissioner Carrie Pellett **seconded** the motion.

**Ayes: Commissioner Carrie Pellett, Vice Chair Charles Mathews, Commissioner Bill Relyea and Chair Gary Walvatne**

**Nays: Commissioner Joel Metlen, Commissioner Jim Farrell and Commissioner Lamont King**

**Abstentions: None**

**The motion passed 4-3-0**

Considerable discussion about how to move forward took place since the vote was split.

Vice Chair Charles Mathews **moved** to vacate the previous motion to refer the issue to City Council at this time, and instead, as early as possible establish a hearing as to the appropriate time for a proposal to be withdrawn in a quasi-judicial hearing.

Commissioner Jim Farrell **seconded** the motion.

**Ayes: Commissioner Carrie Pellett, Vice Chair Charles Mathews, Commissioner Bill Relyea, Commissioner Jim Farrell and Chair Gary Walvatne**

**Nays: Commissioner Joel Metlen and Commissioner Lamont King**

**Abstentions: None**

**The motion passed 5-2-0**

September 6 would be a possible date for the hearing. Commissioner Farrell also suggested a follow up to Commissioner Relyea's concerns over communication between the applicant and other city departments.

## **B. PLANNING DOCKET DISCUSSION**

The process for placing something on the docket was discussed in the first part of this meeting. But there is also the EDC suggested code amendments and a future code amendment about parking in the Willamette area brought forward by Commissioner King. It was suggested that the Planning Commission meet with the Historic Review Board.

Commissioner Farrell brought up the issue of parking around the high school. Mr. Williams advised that City Council has been discussing this and then it will go to the Transportation Advisory Board.

Chair Walvatne and Commissioner Pellett have been attending the CCI meetings. They have found the training to be very helpful. Mr. Williams will look at how that training can be provided to all the commissioners. Commissioner Farrell will attend the next CCI meeting.

(01:46:30)

**ITEMS OF INTEREST FROM THE PLANNING COMMISSION**

Commissioner Relyea mentioned the audio in the room and having trouble hearing during meetings. It could be an issue with background noise. Mr. Williams suggested everyone take notice of their proximity to their microphones, and that the sound levels can be checked. Vice Chair Mathews asked who makes the decision about requiring a Traffic Impact Analysis when a project creates a new traffic pattern by connecting streets. Mr. Wyss noted the requirements in the code, but ultimately it is the City Engineer that makes the determination. Then the applicant can choose to submit the study or not. Mr. Williams will look into the issue. Commissioner Farrell brought up meeting with the Lake Oswego and Oregon City Planning Commissions to discuss issues that impact connecting communities. Mr. Williams will follow up.

(02:01:06)

**ITEMS OF INTEREST FROM STAFF**

Mr. Williams brought up the next meeting and that there will be three public hearings that night, Robinwood Station code amendments, Stormwater code amendments and the White Oak Savanna Park.

(02:03:15)

**ADJOURNMENT**

There being no further business, Chair Walvatne adjourned the meeting.