



PLANNING COMMISSION

Meeting Notes of July 17, 2019

Members present: Gary Walvatne, Joel Metlen, Carrie Pellett, Jim Farrell, Lamont King and Margot Kelly
Members absent: Charles Mathews
Staff present: John Boyd Planning Manager and Bill Monahan City Attorney
Guests: Amy Pepper Public Works, Project Consultants Matt Huang and Aurelie Nabonnand of Carollo Engineers Inc.

Meeting video is available at this hyperlink [PC Video link](#). The meeting notes have a video time index. Each time index is provided in brackets and red text as shown in this example: (00:00:00)

(00:0:10)

REGULAR MEETING - CALL TO ORDER

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

(00:00:20)

APPROVAL OF MEETING NOTES: APRIL 17, 2019

Chair Walvatne requested one amendment to the second page, second paragraph first line to remove the term “includes” as used it was duplicative. Commissioner Jim Farrell **moved** to approve the (June 5, 2019) meeting notes as amended. Commissioner Lamont King **seconded** the motion.

Ayes: Commissioner Joel Metlen, Commissioner Carrie Pellett, Commissioner Jim Farrell, Commissioner Lamont King, Commissioner Margot Kelly and Chair Gary Walvatne

Nays: None. Abstentions: None. The motion passed 6-0-0.

(00:02:20)

PUBLIC COMMENT RELATED TO LAND USE ITEMS NOT ON THE AGENDA

Roberta Schwarz provided written testimony with attached pictures regarding the topic of daylighting Bernert Creek. She read from the submitted testimony regarding her assertion the park contains a waterway protected by a riparian resource setback. Her concerns related to a previous land use action she noted from August 2017 (DR-17-04). As part of her discussion she referred to the email with attached reports submitted into the record of PLN-19-01 Sanitary Sewer Master Plan.

(00:011:02)

PUBLIC HEARING: (LEGISLATIVE HEARING) TO CONSIDER A RECOMMENDATION TO CITY COUNCIL TO AMEND THE COMPREHENSIVE PLAN TO ADOPT AN UPDATE TO THE SANITARY SEWER MASTER PLAN, AMEND THE COMPREHENSIVE PLAN CHAPTER 11 PUBLIC FACILITIES AND SERVICES AND REPLACING THE SANITARY SEWER MASTER PLAN MARCH 2019, AND AMEND THE COMMUNITY DEVELOPMENT CODE CHAPTER 85. PLN-19-01 (STAFF: JOHN BOYD)

Chair Walvatne explained this is a legislative decision, where the Planning Commission makes recommendation to City Council who will then take the recommendation based upon the

statewide planning goals, statute, METRO regulations and applicable local codes. The City Council will consider the Planning Commission recommendation and take final action at a later date. Chair Walvatne then outlined the procedure for the hearing. After the preliminary legal matters, staff will make a presentation, followed by the applicant, then any citizens who wish to address the issue will be given the opportunity. Any members of the audience that wish to speak must complete a "Sign In/Testimony Form" and turn it into staff in order to testify. Commission members may ask questions of the applicant, staff, or anyone else who testifies.

Chair Walvatne opened the public hearing.

Mr. Monahan provided the preliminary legal matters.

The hearing commenced with a staff report presented by John Boyd, Planning Manager. Amy Pepper Senior Engineer, introduced Project Consultants Matt Huang and Aurelie Nabonnand of Carollo Engineers Inc. who provided background information on the Sanitary Sewer Master Plan update. Commissioner Farrell noted that the public should not be concerned by the lack of questions by the Commission, the Planning Commission held a workshop on June 19, 2019 on this matter and had opportunities to review the presentation material and ask introductory questions on the information.

There were no members of the public present to testify at the hearing. Staff Boyd noted there was only one submittal by the public, contained in the staff report and that item related to storm water and did not address the Sanitary Sewer Master Plan update.

Planning Commission Members asked clarifying questions related to the budget estimates in the plan. Staff Boyd provided an overview of the relationship between support documents (master plans) and the city's capital improvement planning process. Public Works Assistant City Engineer Erich Lais responded by pointing the Planning Commission to the Master Plan priority projects spread over a 20 year period. He discussed differing projects and the timeline for improvements.

(00:45:25)

Chair Walvatne closed the hearing and entered deliberations.

Commissioner Pellett **moved** to recommend approval of PLN 19-01 Update of the Sanitary Sewer Master Plan. Commissioner Kelly requested an amendment to specify that based upon the staff report and attached Ordinance 1695 which includes adoption of the master plan and updates to the Comprehensive Plan and Community Development Code. Commissioner Pellett accepted the amendment and Commissioner Farrell **seconded** the motion.

Ayes: Commissioner Joel Metlen, Commissioner Carrie Pellett, Commissioner Jim Farrell, Commissioner Lamont King, Commissioner Margot Kelly and Chair Gary Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.

(00:52:54)

ITEMS OF INTEREST FROM THE PLANNING COMMISSION

Commissioner Farrell discussed HB 2001 and read the contents of a portion of the bill. Staff Boyd provided introductory comments from a DLCD update of expected actions over the next year. He concluded that many cities will be asking for information, there will be training seminars held over the fall and spring. There will be more information in time but for right now there are many

unknowns. As more information becomes available, staff will be updating City Council and in turn the Planning Commission. Chair Walvante discussed concerns related to “home rule” status and how this action impacts local control by cities. He expressed concerns about the loss of local zoning controls and potential impacts to needed and affordable housing. Commissioner Farrell asked what impact current projects will face now that this legislation has passed. Staff Boyd posited that our code should apply until the required changes are adopted. However he also noted as more information is provided by the state, that question may be clarified. Commissioner Pellett expressed frustration on the process, supports housing alternatives but not the way the state implemented this process. Commissioner Kelly noted the City should be evaluating the impact of HB 2001 on city infrastructure from unanticipated density.

Staff Boyd noted that the Mayor reported to CCI the City’s unsuccessful efforts to impact needed changes to the bill before it was passed. Commissioner Farrell noted there is a housing crisis and we need to address methods to provide for better communities. The region is growing and he noted there should be allowances made for that growth. Commissioner Kelly concluded it is not anti-development, the City should be seeking smart growth the community can adequately serve.

Commissioner Pellett asked about Bernert Creek. She referred to the proposal discussed during public comments. She asked what options are available to address the issues raised. Staff Boyd clarified the points; noted that a design review hearing was held on the nature park at savanna oaks. The hearing approved the construction of the park more than a year ago (mid 2017) and that decision was not appealed. The Parks Master Plan was developed and has been presented to the Planning Commission and Council in 2018-19. The approval of the park design review and the consideration of the park master plan are two differing items. The Design Review addressed the existing proposal for development of a park. It was based upon a premise that the adopted plan including the Water Resource Map does not show a protected waterway in the park.

Commissioner Pellett considered the information and addressed a second item related to the conversion of the church into Marylhurst School on Old River Road. Her concern considered a request from a local NA not to require standard curb and sidewalks and instead allow asphalt sidewalks. Council utilized a provision in code that allows a review the decision. Staff Boyd reviewed how Council can conduct a review of the Planning Commission decision.

(01:20:25)

ITEMS OF INTEREST FROM STAFF

Chair Walvatne asked for an update regarding upcoming meeting activities. Staff Boyd outlined the tentative workshop scheduled for August 7, 2019 and the potential public hearing tentatively scheduled for August 21, 2019. He also noted one small subdivision is nearing completeness of their application and may be ready for a hearing in late August or potentially in September 2019.

(01:24.30)

ADJOURNMENT

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