

PLANNING COMMISSION

Meeting Notes of October 16, 2019

Members present: Gary Walvatne, Charles Mathews, Joel Metlen, Carrie Pellett, Jim Farrell, Lamont King, and Margot Kelly

Staff present: John Boyd, Planning Manager; Lynn Schroder, Administrative Assistant; and Tim Ramis, City Attorney

The [meeting video](#) is available on the City's website. The meeting notes have a video time index. Each time index is provided in red text above the upcoming agenda item (i.e. (00:00:00)).

(00:00:14)

1. REGULAR MEETING - CALL TO ORDER

Chair Walvatne called the meeting to order at 6:30 pm in the Council Chambers in City Hall.

(00:00:19)

2. PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

Michel Romanino of West Linn expressed his concerns about the road width and vision clearance on Weatherhill Road. City Attorney Ramis stated that Mr. Romanino's comments were related to the item SUB-18-04 and they were related to the hearing that was closed to testimony. Chair Walvatne concurred.

(00:02:33)

3. APPROVAL OF MEETING NOTES FOR OCTOBER 2, 2019

Commissioner Kelly **moved** to approve the October 2, 2019 meeting notes. Vice Chair Mathews **seconded** the motion.

Ayes: Commissioners Metlen, Pellett, Farrell, Mathews, Kelly, and Walvatne. Nays: None. Abstentions: Commissioner King. The motion passed 6-0-1.

(00:05:08)

4. PUBLIC HEARING: CONTINUED FROM SEPTEMBER 18, 2019 – A PUBLIC HEARING: (QUASI JUDICIAL HEARING) TO CONSIDER A REQUEST FOR A 12 LOT SUBDIVISION AND WATER RESOURCE AREA PERMIT AT 22870 WEATHERHILL ROAD - SUB-18-04/WAP-18-05.

Chair Walvatne reviewed the September 18, 2019 meeting. The Planning Commission approved a continuation of SUB 18-04/WAP-18-05 with a limited open record to allow for Public Works' comments by 9/25/19, additional public comments by 10/2/19, and the applicant's response by 10/09/19. The public hearing was closed on 9/18/19 and the record closed on 10/9/19.

City Attorney Ramis completed a review of legal issues. There were no challenges to the seating of the Commission.

(00:07:19)

Chair Walvatne opened the deliberation for SUB-18-04/WAP-18-05.

Commissioner Kelly asked for clarification on the traffic study review. Chair Walvatne stated that the applicant's rebuttal discusses an agreement with Tanner Springs to obtain additional right of way for Weatherhill Road and the City's plan to put an asphalt lift on the Weatherhill Road. Chair Walvatne stated that he would suggest these activities be completed before construction could begin on the project. Commissioner Kelly noted that, although the applicant will widen Weatherhill Road by four feet, it will still be six feet less than the standard road width.

Commissioner Farrell stated his concern about the applicant's rebuttal letter. Commissioner Farrell objected to the applicant conducting a background check on a citizen who commented on the project. He said that the citizen had a right to express her concern about the project without being intimidated. Commissioner Farrell was concerned that the street is not adequate for on-going development.

Commissioner Pellett stated that SUB-18-04/WAP-18-05 meets the Code because the applicant will widen the road. Commissioner Pellett noted a citizen comment about the length of Satter Street. The citizen was concerned that, if the development were to be approved, the length of Satter Street would be too long according to the Code. Chair Walvatne responded that the Code requires an intersection at least every 800 feet unless there is a limiting factor.

Vice Chair Mathews did not believe that the proposal would lengthen Satter Street beyond the maximum allowed by the Code. He also noted that the traffic review study was requested by the Planning Commission to address concerns raised in previous meetings about traffic on Weatherhill Road. He stated that the Code's standard for an adequate public facility is measured based on the level of service and volume-to-capacity, not the condition of the road. Commissioner Mathews stated that with the improvements to Weatherhill Road by the applicant, the proposal meets the Code. He recommended that the Commission approve the proposal with conditions.

Commissioner Metlen agreed with Vice Chair Mathews. He stated that the applicant is doing their proportion of road improvement on Weatherhill Road. However, he had concerns with the City doing road repairs during or after development. He noted that the traffic review study was a review of a previous traffic study that did not use actual traffic counts on Weatherhill Road so the conclusion about traffic impacts is subjective.

Commissioner King supported Vice Chair Mathews' recommendation. He stated that the Commission requested information from Public Works on whether or not Weatherhill Road would support the additional traffic from this development and future development. The traffic review stated that the improvements provided by the applicant are appropriate for the site and proposed use. He also noted that the applicant would improve the curve on the road and widen Weatherhill Road to 28 feet on their development. Commissioner King agreed with Commissioner Farrell that citizens and their concerns deserve to be treated respectfully by developers. He stated that the applicant's negative personal comments about a citizen were in poor taste.

Commissioner Kelly stated that construction parking should not be allowed in the neighborhood. Chair Walvatne stated that construction activities should not proceed until the applicant and the City make improvements to Weatherhill Road. Commissioner Mathews recommended that no parking sign be posted on one side of the extended portion of Satter Street before approval of

final plat. He further recommended that construction access to the development come from Weatherhill Road for as long as possible. Commissioner Mathews reminded the Commission they chose the staff alternative design that removed flag lots and asked for that to be included in any motion.

(01:02:45)

Commissioner Pellet **moved to approve** SUB -18-04/WAP-18-05, a 12-lot subdivision at 22870 Weatherhill Road, with modified conditions of approval and including the staff alternative to remove flags lots. Vice Chair Mathews **seconded** the motion. There was no further discussion.

Ayes: Commissioners Metlen, Pellett, Farrell, Mathews, King, Kelly, and Walvatne. Nays: None. Abstentions: None. The motion passed 7-0-0.

Chair Walvatne closed the hearing. He stated that anyone wishing to appeal the decision must submit an appeal application to the Community Development Department within fourteen days of the signing of the final decision.

(01:05:58)

5. ITEMS OF INTEREST FROM THE PLANNING COMMISSION

Commissioner King wanted to address the issue of adequate roads in developing areas. He recommended that the Planning Commission should put something together for the City Council to consider. Vice Chair Mathews stated that going forward, the Planning Director will use his discretion to require a full-scale traffic analysis for new developments. Commissioner Farrell agreed that the requirement for traffic analysis to be in the Code. Commissioner Farrell stated that roads should be improved before a development goes in, and the cost should be apportioned to all developers. Commissioner Kelly expressed her concern about intersection safety.

(01:12:22)

6. ITEMS OF INTEREST FROM STAFF

Planning Director Boyd reminded Commissioners of the upcoming joint meeting with the City Council on October 21, 2019. Mr. Boyd announced the November Planning Commission meetings. In December, the Planning Commission consider goals for the upcoming annual Citizen Advisory Group report.

(01:18.40)

7. ADJOURNMENT

There being no further business, Chair Walvatne adjourned the meeting at 7:49 pm.