



PLANNING COMMISSION
Meeting Notes of December 2, 2020

Commissioners present: Gary Walvatne, Lamont King, Joel Metlen, Carrie Pellett. Commissioner Mathews arrived late.

Commissioners absent: Margot Kelly

Public Present: Bob McCarthy, Bolton Neighborhood Association, Erich Kunrath

Staff present: Darren Wyss, Acting Planning Manager, Jennifer Arnold, Associate Planner, Bill Monahan, City Attorney, and Lynn Schroder, Administrative Assistant

[Timestamp 00:00:05]

1. Call to Order

Chair Walvatne called the virtual meeting to order at 6:36 pm.

[Timestamp 00:00:57]

2. Public Comment Related To Land Use Items Not On the Agenda

None.

[Timestamp 00:03:04]

3. Approval of Meeting Notes: [October 7, 2020](#)

Chair Walvatne requested minor edits to the meeting notes. Commissioner Pellett moved to approve the meeting notes for October 7, 2020 as amended. Commissioner Walvatne seconded. **Ayes: Commissioners King, Metlen, Pellett, and Walvatne. Nays: None. Abstentions: None. The motion passed 4-0-0. Commissioner Mathews was not present for the vote.**

[Timestamp 00:05:45]

4. [Public Hearing: DR-20-07/VAR-20-02/WAP-20-03 a request for approval of a Class 2 Design Review to construct/replace the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street](#)

Chair Walvatne explained this is a quasi-judicial decision and unlike in legislative hearings, where personal opinion may come into play, quasi-judicial rulings must be grounded in the relevant code, and if the application meets the code, the Commission must approve it. 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. Finally, there will be time for rebuttal by the applicant. The applicant will have 20 minutes initially, plus ten minutes for rebuttal. As the hearing was held on-line via WebEx, the public was requested to submit all written testimony by noon of the date of the hearing. Similarly, anyone wishing to speak was requested to complete an on-line sign-up form by noon of the date of the hearing. Commission members may ask questions of the applicant, staff, or anyone else who testifies.

Chair Walvatne called the public hearing to order to consider the request by Matt Grady, applicant on behalf of West Linn Shopping Center Assoc. LLC (owner), to approve construction/replacement of the existing Post Office Building with a new Post Office Building or Retail Building with a Shared Parking Area at 5665/5639 Hood Street.

City Attorney Monahan addressed legal standards and appeal rights. The substantive criteria that are applicable to the application are Community Development Code (CDC) Chapter 19, Chapter 32, Chapter 46, Chapter 48, Chapter 54, Chapter 55, Chapter 75, Chapter 92, and Chapter 99.

Mohohan addressed Planning Commission conflicts of interest, ex parte contacts, and challenges. No Commissioner declared a conflict of interest, bias, or ex parte contact. There were no objections to the Commissioners' jurisdiction or impartiality on the application.

Associate Planner Jennifer Arnold stated that the City had technical difficulties and could not post the staff report for DR-20-07/VAR-20-02/WAP-20-03 ten days before the hearing as required by CDC 99.040.D. Consequently, the public hearing for this application should be continued to a date certain to allow for the staff report's proper posting.

Chair Walvatne asked for a motion of continuance to a date certain. Commissioner King moved to continue the public hearing for DR-20-07/VAR-20-02/WAP-20-03 to December 16, 2020, at 6:30 pm by Webex. Commissioner Pellett seconded. **Ayes: King, Metlen, Pellett, Mathews, and Walvatne. Nays: None. Abstentions: None. The motion passed 5-0-0.**

[Timestamp 00:18:48]

5. Discussion: PC Annual Report

Commissioner Metlen noted that the challenge is completing the items on the docket. Commissioner Pellett asked to add the status of the July 2018 Report to Council regarding the CCI recommendations to engage citizens more in the application process. Wyss noted that the July 2018 Report is a prioritized item on the docket. Pellett asked if the PC's key priorities are highlighted in the annual report.

Chair Walvatne asked for a motion. Commissioner Pellett moved to approve the draft annual report as amended. Commissioner Mathews seconded. **Ayes: Pellett, Metlen, Kelly, King, Mathews, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.**

[Timestamp 00:27:51]

6. Items of Interest From The Planning Commission

Chair Walvatne has asked the Public Works Director to come to a work session in early 2021 to discuss the role of engineering in the land use process.

Walvatne noted that the PC Major/Minor Utility Subcommittee had met once. A second meeting has not been set yet.

Walvatne requested that the project update be provided at a meeting at the beginning of the year.

[Timestamp 00:29:08]

7. Items of Interest from Staff

Acting Planning Manager announced land use process training work session for the PC in January. Wyss will email the private streets and clear and objective standards memos to Commissioners this week.

[Timestamp 00:33:15]

8. Adjourn

Chair Walvatne adjourned the meeting at approximately 7:05 pm.