



PLANNING COMMISSION
Meeting Notes of December 16, 2020

Commissioners present: Gary Walvatne, Charles Mathews, Lamont King, Joel Metlen, Margot Kelly, Carrie Pellett, and Scott Erwin

Applicant Representatives: Matt Grady, applicant, Ken Sandblast, applicant consultant, and Frank Schmidt, applicant architect

Public Present: Diane Cubbage, Erich Kunrath, and Bob McCarthy

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

[Timestamp 00:00:07]

1. Call to Order

Chair Walvatne called the virtual meeting to order at 6:30 pm.

[Timestamp 00:02:15]

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

None.

[Timestamp 00:02:44]

3. Approval of Meeting Notes: [November 4, 2020](#)

Commissioner King asked that his objections to SUB-20-01 be added to the meeting notes. He will provide specific language for inclusion. Gary Walvatne requested a correction to his remarks about speed limits, which were in reference to Parker Road, not Salamo Road, in the Planning Commissioner Comments. The meeting notes will be updated as requested and return to the Commission for approval.

Chair Walvatne welcomed Scott Erwin as the newest Commissioner to the West Linn Planning Commission.

[Timestamp 00:10:45]

4. Continued from December 2, 2020 Meeting: [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 opened the public hearing.

City Attorney Monahan addressed legal standards and appeal rights. The applicable substantive criteria that apply 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.

Monahan addressed Planning Commission conflicts of interest, ex parte contacts, and challenges. Commissioner Erwin stated that he would abstain from voting on this decision because he was only recently appointed to the Commission and was not familiar with the application. No Commissioner declared a conflict of interest, bias, or ex parte contact. Chair Walvatne, Mathews, and Kelly noted that they have been to the site as customers of the post office and grocery store. Commissioner Pellett declared that she attended the Hidden Spring Neighborhood Association meeting on December 15, 2020 where the project was brought up. At the neighborhood meeting, Pellett was asked about the project; she stated that she could not talk about the project until after this hearing. Commissioner Metlen has visited the site. There were no objections to the Commissioners' jurisdiction or impartiality on the application.

Associate Planner Jennifer Arnold presented a staff report. The applicant proposed to remove the existing Post Office building and replace it with a single-story commercial building. They presented two options for the new building. Option A would be a 5,255 square foot commercial building exclusively for a new Post Office. Option B would be a 6,550 square foot mixed-use, commercial building. Both options would use the same parking configuration. The two options were proposed due to the Post Office's uncertainty securing a lease for the new space. The applicant requested a Class I Variance to add two parking spaces under Option A to the shared parking area. No variance is proposed for Option B. A portion of the property is within the current Water Resource Protection Area (WRA). The applicant requested a reduction in the WRA buffer. Staff recommended approval of the application with proposed conditions.

Applicant Matt Grady with Gramor Development and the applicant's planning consultant Ken Sandblast presented their proposal. Grady provided background on Option A and B development and efforts to work with the Post Office to develop plans to accommodate the Post Office on the redeveloped property. He stated that Gramor would like the Post Office to continue to lease the property after redevelopment. However, the Post Office has not committed to staying at the property. Ken Sandblast outlined the site design proposals.

Diana Cabbage, Erich Kunrath, and Bob McCarthy presented oral testimony. Bob McCarthy presented on behalf of the Bolton Neighborhood Association. The primary concerns raised during testimony included:

- The desire of citizens to retain a post office location in the City,
- Adjacent property future development,
- Traffic circulation, and
- Parking.

The Bolton NA supported the development of a new Post Office. However, they objected to piecemeal development in the commercial area. The Bolton NA requested a transportation connection to a

future 4-way intersection at Burns St. and Cascade St. and better access to parking as a criterion for approval.

Matt Grady rebutted that site redevelopment would improve the parking issues in the area. Other traffic issues are problems systemic to the area that Gramor does not control.

Chair Walvatne reopened public testimony to take a question from Erich Kunrath from the Bolton NA. Kunrath asked if the Post Office could use the adjacent commercial space that is becoming vacant when businesses move to their new building on Burns Street. Grady replied that the Post Office has already rejected that proposal.

The hearing was closed, and Commissioners deliberated. Commissioner Pellett moved to approve DR-20-07/VAR-20-02/WAP-20-03 as presented with the staff proposed conditions of approval and direct staff to prepare a Final Decision and Order based on the findings in the December 2, 2020 Staff Report. Vice Chair Mathews seconded. **Ayes: Pellett, Metlen, Kelly, King, Mathews, and Walvatne. Nays: None. Abstentions: Erwin. The motion passed 6-0-1.**

[Timestamp 02:04:23]

5. Items of Interest From The Planning Commission

Vice Chair Mathews requested an agenda for the upcoming Planning Commission training in January. Wyss outlined the training topics. Mathews asked that a component of the training be provided by the City Attorney.

Chair Walvatne asked that the final Planning Commission annual report be sent to Commissioners. He also asked for the project update at the next meeting.

[Timestamp 02:10:30]

6. Items of Interest from Staff

Acting Planning Manager Wyss announced that Associate Planner Arnold is leaving the City at the end of December. He thanked Jennifer for her dedication to the City and wished her well.

Because there are no land use applications for PC consideration at the January 6, 2021 meeting, Wyss requested that the meeting be canceled. The next meeting will be on January 20, 2021. The next quasi-judicial hearing is targeted for February.

Wyss noted that the online zoning map will be updated by the GIS specialist. The paper maps in the Council Chambers will be updated before City Hall opens again.

[Timestamp 02:19:30]

7. Adjourn

Chair Walvatne adjourned the meeting at approximately 8:55 pm.