

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

May 15, 2017–7:00 P.M.

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1. CALL TO ORDER:

Chair Beck called the meeting to order at 7:02 p.m.

Planning Commission Present: Tom Beck, Carolyn Hymes, Lisa Nakajima, Dale Smith, Phil Ruder and Hugo Rojas.

Planning Commission Excused: Sebastian B. Lawler.

Staff Present: Jon Holan, Community Development Director; James Reitz, Senior Planner; Dan Riordan, Senior Planner; Marcia Phillips, Planning Commission Coordinator

2. PUBLIC MEETING:

2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS: None.

2.2 PUBLIC HEARING:

A. File # 311-17-000009-PLNG - A land division (partition) located at 2443 26th Avenue to create three parcels of 3,750 square feet, 4,691 square feet and 6,215 square feet; and an adjustment to the lot frontage requirement. (Washington County Tax Lot 1N331BD02402)

Chair Beck opened the public hearing at 7:04 p.m., read the hearing procedures, and asked for disclosure of any conflicts of interest, ex-parte contacts, bias, or abstentions. There were none, and no challenges from the audience. Chair Beck called for the staff report.

Mr. Reitz gave a PowerPoint presentation. He explained that the Planning Commission does not usually see partitions, because partitions are a Type II (staff review) process. Due to public comments received the Director determined to elevate this to the Planning Commission as authorized by the Development Code. Because partition reviews are based on clear and objective standards, the only area for the Commission to review is the frontage reduction request from 15 feet to 13+ feet.

The first slide showed an aerial view of the site, and Reitz gave a brief description of the location and surrounding area. He said the proposal would result in a 3-lot partition with Parcel # 1 already developed with a single-family home. Reitz said Parcels #2 and #3 would both be vacant, and would be large enough to be developed with either a single-family home or a duplex, but the target density of the site (including the existing home) is only 4 units so a duplex could be built on only one of the vacant parcels. He explained that the applicant has two requests: a land division to create three parcels of 3,750, 4691 and 6215 sq. ft., and an adjustment to the lot frontage requirement of Development Code §10.8.805 (F)(2)(b) which requires that each flag lot have at least 15 feet of frontage onto a public street. He said the applicants propose that the two flag lots each have 13.18 feet of frontage onto 26th Avenue.

Mr. Reitz explained that Parcel #2 and Parcel #3 would front 26th Avenue on the west side of Parcel #1 and the frontages would be used for access and utilities. He said staff is recommending a condition of approval that Parcel #2 and #3 be served by a single driveway to minimize the number of curb cuts on 26th Avenue (a collector street). The existing driveway is to be moved to the other side of the existing house due to its nearness to the Elm Street intersection.

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In response to a question from Chair Beck, Mr. Reitz explained that the combined driveway would have 10 feet of paved drive with gravel on each side to allow cars to pass each other. Reitz explained that a common driveway (instead of a driveway to each lot independently) would make the need for Parcels #2 and #3 to have 15 feet of frontage onto 26th Avenue less acute, and would provide ample room for utility installation for those parcels. He explained that a common driveway centered on the property line between Parcels #2 and #3 would be located farther from the existing home on Parcel # 1 than if each lot had its own access.

Mr. Reitz explained that Development Code §10.8.130(C) states a curb cut cannot be located closer than 50 feet from an intersection on a collector street. He said 26th Avenue is designated a collector street and with the proximity of Elm Street to the existing driveway, staff is recommending a condition of approval to abandon the existing driveway, and Parcel #1 would also use the driveway on the west side of the development site. Reitz explained that this would improve driver visibility and traffic safety. He explained that there would need to be a maintenance agreement that would require all three property owners to pay for upkeep on the common driveway.

Chair Beck said the agreement needs to have three parts, because all three parcels use the first part of the common driveway, Parcels #2 and #3 use the second part of the driveway, and Parcel #3 is the only one using the third part of the common driveway. Staff agreed it could be written that way.

Mr. Reitz stated that the application was first made late last year, but staff had an issue with drainage. Mr. Reitz stated that due to a letter received during the first application, many issues were brought to staff's attention. He explained that the lot slopes away from 26th Avenue, and described the drainage issues with that. Reitz said the applicant withdrew the application until the applicant's engineer and the City Engineer could come up with a solution, and have now reapplied. Reitz explained that the solution would be to bring in fill to raise the back of the property by approximately three feet and slope the fill to allow run off towards the storm drain in 26th Avenue. Mr. Reitz explained that the existing sewer drain field must be abandoned, because Code does not allowed drain fields to cross a property line.

Mr. Reitz showed a slide of the proposed Conditions of Approval.

In response to a question from Chair Beck, Mr. Reitz explained that the Commission's discretion is limited, and must be in proportion to the application. He said 26th Avenue will eventually have full street improvements. Reitz said the City's Engineering Department is working toward establishing a Local Improvement District (LID) or a reimbursement district to improve the entire length of 26th Avenue (utilities, curbs, sidewalks). Reitz explained that the applicant could be required to do street improvements or to sign a Waiver of Remonstrance.

Chair Beck stated that a waiver was needed, so in future there would not be a gap in the sidewalk.

APPLICANT:

Desi Kurtz, 432 Meadowview Road, Forest Grove, OR. Ms. Kurtz said she was in agreement with the staff report and had nothing to add at that time.

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PROPOSERS: None.

OPPOSERS:

Lincoln Wright, 2453 26th Avenue, Forest Grove, OR. Mr. Wright showed a slide of 26th Avenue along the front of the site, and gave the Commissioners a list of his issues (Handout #5). Wright explained that he owns the property to the east of the site. He said staff has tried to make this application work, but it needs six exceptions to the Development Code. He stated the lot should be divided into only two lots, and this would remove many of the exceptions. Wright explained that more development will add more traffic to 26th Avenue, which is designed as an old County road 22 feet wide with no sidewalks. He said this affects livability in the area. Wright said there are no sidewalks along the frontage of the property, and the developer should be required to install a sidewalk for pedestrian safety. Mr. Wright said if the old driveway is abandoned the asphalt should be removed or, when more parking is needed, it will be used again.

Mr. Wright said drainage is an issue, and a large strip of asphalt will only increase the problem, so there needs to be something to prevent this. He stated that this type of compact home site is not seen in this area, which has homes on large lots. He suggested that the existing home should have to hook up to sewer now to make sure this plan will work.

Mr. Wright said shared driveways are difficult to maneuver, and will cause more on-street parking. Wright said with the proximity of the Lincoln Park and Pacific University, people are always walking down 26th Avenue, so making partial improvements now might be better than waiting for one big improvement project.

Mr. Wright said 26th Avenue is very busy at all times of the day. He said the on-street parking impedes visibility when backing out of driveways, which is a major safety issue. Lincoln stated that 90% of the people he talked to who live on 26th Avenue are not in favor of an LID.

Mr. Wright said the best solution would be to allow only two lots and not 3 lots.

Blaine Nunnenkamp, 2382 Willamina Avenue, Forest Grove, OR. Mr. Nunnenkamp said he was concerned about the infrastructure. He was concerned about the proposed development draining to the south, because his property already floods. Nunnenkamp said there are some sidewalks on Willamina Avenue as development has occurred, but there are none on the old part of Willamina Avenue.

Steve O'Day, 2762 Willamina Avenue, Forest Grove, OR. Mr. O'Day said allowing only one parking space per unit does not look like enough parking. He stated that the new development nearby has 2-car driveways and 2-car garages. He said it is not reasonable to expect only one car per household. O'Day said 26th Avenue is dangerously narrow, and people have to step into people's yards to avoid traffic.

Anthony Powell, 2404 26th Avenue, Forest Grove, OR. Mr. Powell explained that he rents his home, and bicycles and walks to stay fit. He said 26th Avenue is incredibly trafficked. Powell said

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school buses drop off kids in front of his house, which makes it difficult for cars to get through, and with no sidewalks it is a safety issue. He has witnessed people texting and speeding on this busy street which is a concern.

Megan Wright, 2453 26th Avenue, Forest Grove, OR. Ms. Wright said she owns the property to the east of the site. She said citizenship and stewardship is important to her, and what is happening on 26th Avenue is not good stewardship. She said it is a County road built to service 40 homes, and now services over 400 homes with the new development nearby. She asked how the Fire Department would get back to the deep lots. Wright said allowing for only one car per house is not reasonable, it is normal to have one car per adult. She said to allow this development before there is a plan to improve 26th Avenue is irresponsible. She expressed concern for safety issues for the children.

Andrew McVay, 2440 26th Avenue, Forest Grove, OR. Mr. McVay stated that he owns property south of the site. He stated to have maximum density there needs to be maximum sidewalks. McVay said traffic detours to avoid the congestion of downtown, so the area is heavily trafficked. He said it needs to be a safe environment.

OTHER: None.

REBUTTAL:

John Hunnicutt, 3815 Silver Spring Road, Clackamas, OR. Mr. Hunnicutt said the asphalt drive will be sloped so storm water goes into the City's storm system. He said the applicant is adhering to the City codes, County codes and Clean Water Services regulations to make sure the site would drain properly. He said this is an older neighborhood with homes on large lots, but the zoning allows for more density, and the applicant is trying to build what the City wants. Hunnicutt said perhaps there needs to be a petition to the City Council for an L.I.D. or Waiver of Remonstrance, which would lock property owners now, and in the future, not to remonstrate against the L.I.D. He explained that the driveway to the deep lots is less than 150 feet, so a Fire Department turnaround is not required per the Fire Code. Hunnicutt said the Development Code requires one off-street parking space per lot. He said the applicant has adhered to all codes, and is ready for approval of this application.

Chair Beck closed the public hearing at 8:22 p.m.

COMMISSION DISCUSSION:

In response to a question from Chair Beck, Mr. Reitz read the section of the Development Code regarding the spacing of driveways.

In response to a question from Chair Beck, Mr. Hunnicutt said there was ample room for the increased street width. Chair Beck commented that it would eat up front yards.

Commissioner Ruder asked if the 8 foot street dedication would be available for parking right away.

Mr. Reitz explained that it would just be a dedication for future improvements.

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Chair Beck said one thing raised in the staff report was the Commission's discretion – does the Commission want to grant a 13 foot plus drive width.

In response to a question from Commissioner Nakajima, Mr. Reitz said the utilities will be adequate, because this applicant will be making those improvements.

Chair Beck said he was not in favor of granting a 13-plus foot driveway – one driveway would be better. He commented that everything in this application is forced – squeezed together.

In response to a question from Commissioner Rojas, Mr. Reitz said the Fire Department likes homes to be sprinkled.

Commissioner Rojas said physically speaking this is going to be one blended driveway.

Mr. Reitz said multi-family driveway width is a minimum of 20 feet, so the Commission could require a 20 foot wide driveway due to the potential of four units on the site.

Commissioner Rojas said he had no issues with the 13-plus foot wide driveways.

In response to a question from Commissioner Ruder, Ms. Kurtz said three lots are a good choice because single-family or duplex could fit, and marketing is better on separate lots.

Chair Beck said if the old driveway is abandoned, there should be a barrier of some sort to prevent it being used.

Commissioner Rojas made a motion to approve File # 311-17-000009-PLNG - A land division (partition) located at 2443 26th Avenue to create three parcels of 3,750 square feet, 4,691 square feet and 6,215 square feet; and an adjustment to the lot frontage requirement (Washington County Tax Lot 1N331BD02402) with revisions to the Conditions of Approval as mentioned. Commissioner Ruder seconded. Motion was not approved 1-5. No further action was taken.

Commissioners Hymes and Rojas left the meeting at 8:39 p.m.

B. File # 311-17-000013-PLNG - Recommendation to City Council to Approve the Westside Refinement Plan and Accompanying Implementation Measures. Staff report to be presented on May 15th and public testimony to be heard on May 30th.

Chair Beck opened the public hearing, and called for the staff report.

Mr. Riordan stated that staff has provided a lot of information to the Commission. He referenced four letters received by staff from: NW Engineers (Handout #1), Kerry Vanderzanden (Handout # 2), Brad & Linda Taylor (Handout #3), and Lyle Spiesschaert (Handout #4).

Chair Beck asked staff to highlight anything that had changed since the previous work sessions. Mr. Riordan indicated changes will be highlighted in the staff presentation.

Mr. Riordan showed a PowerPoint presentation of the Westside Planning Project area, and gave

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some background on the project. He said the purpose of the public hearing is to consider the Westside Refinement Plan and to consider specific implementation measures. He said the Commission is not being asked to adopt a specific funding strategy including any supplemental System Development Charges (SDCs). Riordan explained that this will occur as facility master plans are updated and other implementation strategies are discussed.

In response to a question from Chair Beck, Mr. Riordan explained that everything in the David Hill area is inside the Urban Growth Boundary (UGB) – it is a question of what is inside the City and what is outside the City. Riordan said when property is brought into the City through the annexation process, Forest Grove will be the city to provide the infrastructure, and the city is responsible for assessing Comprehensive Plan designations and zoning to the area. He said the goal is to try to identify these needs and to plan for the future.

Mr. Riordan said the purpose of the plan is to identify land use concepts for compliance with the Metro Urban Growth Management Plan, identify infrastructure needs and costs, identify possible ways to fund infrastructure, address potential traffic impacts (especially the two roundabouts), and identify policy direction including the basis for further Code amendments.

Mr. Riordan explained that the land use policy statements need to include establishment of land use designations based on physical limitations of the land, establishment of land use designations that provide opportunities for a variety of land uses, promotion of efficient and cost-effective development, promotion of orderly transition from rural to urban land use, promotion of complete neighborhoods, encouragement of a variety of housing types, providing opportunities for affordable housing types, and the assurance that land development on David Hill considers visual impacts from lower elevation view corridors (especially the Town Center).

Mr. Riordan said public facilities policy statements address the need to ensure that adequate public facilities to serve development are provided in an equitable and cost-effective manner. He said transportation policy statements should establish a context sensitive street network, establish a transportation system that meets regional transportation planning requirements for transportation facility type and function, seek funding for needed transportation related improvements for development and wider transportation needs of the City, and address local and regional street network capacity constraints anticipated from development.

Mr. Riordan said policy statements need to minimize development impacts on natural resources, and demonstrate suitability relative to the natural hazard limitations of the planning area. He said policy statements are needed to establish an equitable funding approach for needed infrastructure serving the planning area, and to seek outside funding for transportation projects such as David Hill Road, Thatcher Road, the Highway 47 roundabouts, and a new north-south collector street west of Thatcher Road.

Mr. Riordan said the overview of the plan has not changed much since it was originally presented to the Commission. He showed a slide of the proposed zoning for the area. In response to a question from Chair Beck about a grocery store, Mr. Riordan said staff wants more direction from the City Council about the Neighborhood Mixed Use zone for the area north of David Hill Road near “B” Street and Main Street. He said there is another twenty-three acre site fairly close to this area that could have a grocery store (the “Davidson site”). Riordan said the amount of commercial impacts traffic and could influence what improvements would be needed to make the roundabouts

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continue to work. He said it is thought that 94% of the David Hill area could be developed in the next ten years.

Mr. Riordan showed a slide indicating how the roads could be extended, and explained that the City should establish policy through the TSP so development does not impede this.

In response to a question from Chair Beck, Mr. Holan explained that the consultant said it did not work to have a road connecting Road #2 to David Hill Road.

Chair Beck said if Road #2 connects to David Hill Road, it needs to be a collector street.

Mr. Riordan explained that adding another collector street adds to cost.

Chair Beck stated that the City needs to designate collector streets, and then figure out what it will cost.

Mr. Holan said if the Commission feels strongly about this, it can be included in the recommendation to the City Council.

Mr. Riordan said the Oregon Department of Transportation (ODOT) wants assurance that improvements to the roundabouts will take place in future, and has recommended that it be added to the City's Transportation System Plan and the Regional Transportation Plan's financially constrained project lists. He said the City is working with ODOT to come up with other ways to provide assurance to ODOT. Riordan said the funding could come about with annexation, but the City is still trying to work out the details.

Mr. Holan said ODOT would be more assured if the improvements were put into the Regional Transportation Plans financially constrained projects lists, but the City has no control over this. Staff is exploring other possible funding options.

Mr. Riordan showed a slide of the Purdin Road and David Hill Road roundabouts, and discussed improvements to be made, and costs for improvements in each subarea. He said an area-wide supplemental transportation SDC with all projects funded with TDT revenue would be \$11,435 per dwelling unit and a total fee of \$19,349. Riordan said an area-wide supplemental transportation SDC with some projects funded by outside sources would be an estimated SDC fee of \$3,571 per dwelling (du) with a total fee of \$11,485 per du. He said TDT revenue and project costs allocated by subareas would mean a supplemental SDC of \$22,860 per du and total fee of \$30,775 per du for the David Hill subarea, and supplemental SDC of \$3,883 per du with total fee of \$11,797 per du in the new UGB subarea. Riordan said Washington County's approach for new growth areas is to limit the supplemental transportation SDC to a 96% increase over current TDT, but this approach requires area-wide supplemental SDCs with outside funding assistance to reduce the SDCs to an acceptable level.

Chair Beck asked if staff has considered doing fees based on the square footage of a house.

Mr. Holan said there are fees in other jurisdictions based on square footage, so that is something to be considered.

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Mr. Riordan said providing water to the area will be looked at as the City's Engineering Department updates Forest Grove's Water Master Plan.

Chair Beck asked if phasing has been considered – the 400 foot reservoir could be phased in at a later time.

Mr. Holan said that will be part of the Water Master Plan update.

Mr. Riordan said sanitary sewer main lines will run along the collector street network, but the Plan does not address sanitary sewer lines serving developments – this will be considered as part of development review. He said the estimated cost is \$3.6 million, and would be paid by the developer and SDCs that go to Clean Water Services. Riordan said the identified funding approach for additional consideration is the current sanitary sewer SDC which is \$5,300 per du, and under an agreement with Clean Water Services 96% of this SDC revenue goes to Clean Water Services for regional needs and 4% is retained by the City for local needs. He said the consultant recommended approach is to require the developer to do construction and dedication of sanitary sewer lines below 12 inches in diameter. He said the consultant looked at an allocation of 18%, 40% and 100% of SDC revenues anticipated from the Westside area, but allocation of a percentage greater than 4% requires further discussion and concurrence by CWS. Riordan said the approaches will be considered further when the City's Sanitary Sewer Master Plan is updated. He said the City will request that CWS use SDCs provided to them from Westside development for area improvements – if this is done no additional funding is required.

Mr. Riordan said the identified storm sewer system is related to the transportation system only, and not on-site storm sewer needs for individual developments. He said the estimated cost is \$1.6 million for the road system only, and funding would come from the developer (on-site) and SDCs for off-site needs. Riordan showed the identified funding approach for additional consideration, and explained that the approaches will be reviewed further when the City's Storm Water and Drainage Master Plan is updated.

Mr. Riordan showed an overview of implementation measures, and a map of the area. He pointed out a six acre park, the proposed fire station, etc. Riordan said as far as Comprehensive Plan (CP) Map amendments, a policy question would be should commercial be required in the Neighborhood Mixed Use area and, if so, what should the minimum and maximum be. He showed the proposed CP map amendments, Zoning Map amendments, and Development Code amendments. The written testimony submitted includes requested changes to the zoning map and Comprehensive Plan map.

Chair Beck asked if the riparian area north of David Hill Road is buildable.

Mr. Riordan said the consultant recommended this area be dedicated as open space. He said there is a problem with dedicating private property (essentially a taking) as open space. Riordan explained that area could be developed R-10 with clustered housing.

Chair Beck said it would be good to look at a map that shows what is not buildable.

Mr. Holan said staff will take a look at this and present what is found.

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Mr. Riordan said an amendment to Development Code §10.8.610(M) (Grades and Curves) would allow for collector streets with a maximum 15% grade for distances no greater than 250 feet. He said current maximum is 12%. He explained that the Development Code provides authority to the Public Works Director to approve distances greater than 250 feet. He said concrete would be required by the Public Works Director where grade exceeds 12%. Riordan showed a cross section of David Hill Road, and said this could apply to other steeply sloped areas. He said amendments to the Transportation System Plan (TSP) would add a conceptual collector road system, and would update the TSP wording and maps to reflect compliance with the Metro Regional Transportation Functional Plan.

Mr. Riordan said the plan identifies several options for funding needed infrastructure, with approaches based on the premise that development should pay for needed infrastructure. He explained that the Commission is not being asked to make a recommendation to the City Council about a specific approach – approaches identified in the Plan will be evaluated further, and recommendations for adoption will be made as part of future updates to facility master plans.

Mr. Riordan said public comments so far have included concern about wording of the legal notice required by Measure 56 being too vague, concern about potential impact of development on existing views, and the need for a mix of land uses.

Mr. Riordan said tonight's hearing was the staff presentation of the Plan and submittal of written comments to the Commission. On May 30th the public hearing will continue with the opportunity for verbal and written comments from the public. On June 5th there will be a continuation of the public hearing if needed, the Commission will deliberate, and adopt a motion making recommendations to the City Council. June 26th will possibly be the initial public hearing with the City Council, and in July or August will be the completion of the City Council public hearings and adoption of required ordinances.

Chair Beck continued the public hearing to May 30, 2017.

2.3 ACTION ITEMS: None.

2.4 WORK SESSION ITEMS: None.

3.0 BUSINESS MEETING:

3.1 APPROVAL OF MINUTES: Commissioner Nakajima made a motion to approve the minutes from the May 1, 2017 meeting. Commissioner Ruder seconded. Motion passed 4-0.

3.2 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES: None.

3.3 DIRECTOR'S REPORT:

Mr. Holan said the Commission's schedule had already been discussed. He added that the Stonewood project will also be heard at the June 19th meeting.

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Commissioner Nakajima encouraged staff to look into doing anything to improve the Willamina and 26th Avenue area. She said the north section of Hawthorne is narrow and needs to be improved also.

Mr. Holan said the City's Engineering Department is looking at it.

3.4 **ANNOUNCEMENT OF NEXT MEETING:** Next meeting will be held on May 30, 2017, at 7 p.m.

3.5 **ADJOURNMENT:** The meeting was adjourned at 9:49 p.m.

Respectfully submitted by:

Marcia Phillips

Planning Commission Coordinator