CITY OF DUNDEE

Meeting: Planning Commission Meeting

Location: City Hall Meeting Room
620 SW 5th Street
Dundee, Oregon 97115

Date: August 15, 2018

Time: 7:00 p.m.

I. Meeting called to order.

Chairman Howland called the meeting to order. Commissioners present, which consisted of quorum, were Shannon Howland, Eugene Gilden, Charlotte Ormonde, Dustin Swenson, and Don Webb. City Administrator Rob Daykin, City Attorney Tim Ramis, and Planner Cheryl Caines were also present.

Audience members included Debbie Newhouse, Terrol Newhouse, Phil and Sandy Santucci, Reid Steward with Acom Consulting, Don Lowe, Andrew Estroff, Shannon McCaw, and John Stevenson.

Commissioner Rebecca Minifie had excused absence.

II. Public Comment

Chairman Howland asked for any public comment from the floor.

Don Lowe stated that he would like to call for the immediate resignation of the Chairman and Vice-Chairman of the Planning Commission. He gave the following reasons: significant lack of training and Roberts Rules of Orders; belief that the Vice-Chairman had shown a bias with regard to the project; belief that they had opened the City up to possible lawsuits for violations of the Oregon Public Meeting law (specifically with regard to the continuance of the meeting prior to public testimony in April).

Commissioner Swenson responded that he was not going to resign. Mr. Lowe threatened to publicize the ñincompetenceòwith the newspapers and television. Chairman Howland thanked Mr. Lowe for his comments and stated she would consider the comments but would not resign at that time.
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IV. Public Hearing –

A. <u>CU/SDR 17-27, Verizon Wireless (Communications Tower)</u>

Chairman Howland reopened the public hearing. She asked the Commission members if they had any additional ex-parte contact to declare. Commissioners responded that they had not.

Planner Caines noted that the applicant requested a continuance, which was noted in the packet, to October 17 in order to get additional materials together. She further explained that the City had requested this date due to an agenda conflict in October.

Chairman Howland asked if there was anyone representing the applicant. Reid Stewart with ACOM consulting stated that he was there to represent Verizon and noted they were okay with extending the shot clock.

It was moved to continue the meeting to October 17. The motion was seconded. Commissioner Webb asked that the record reflect that he believed that the data requested seemed to be fairly straightforward and should be easy to collect. Mr. Stewart explained that they had third party vendors that provided the

material and they were backed up at the time. Commissioner Webb responded that he was given to believe that Ms. Gretch had the information already, but did not have it with her at the July meeting. Mr. Stewart stated that might be true. He had not spoken with her. Planner Caines reiterated that the applicant may have been ready to proceed in September, but the City had requested the October date. Motion carries, unanimously.

B. S 17-26, V 18-05, CA 18-05 McCaw Subdivision

Chairman Howland reopened the public hearing. She asked the Commission members if they had any additional ex-parte contact to declare. Commissioners responded that they had not.

1. Staff Report

Planner Caines began going through the staff report. She noted that the applicant had requested to amend their application, so during the time from June until now, they had asked for and been granted lot line adjustments. Based on the new lot boundaries, the subdivision application was updated from a 5-lot subdivision to a 4-lot subdivision. This change allowed them to use a shared access easement rather than build a private street, which negated the need for the code amendments and adjustments (these were withdrawn). She further noted that the staff report had a condition of approval to have the applicant submit revised grading plans. These were submitted after the staff report was written and included in the packet. She requested that condition number one be removed.

Commissioner Webb asked if the lot one driveway was being moved. Planner Caines responded that yes it was being slightly adjusted. The public works code gives the City Engineer the flexibility to allow reasonable adjustments, and based on the preliminary designs believed the applicant could make the design work. However, she noted that there would be a final review when the application for the site construction plans was submitted.

Commissioner Webb asked about the 150-linear feet requirement and whether the driveway access was staying under that length which meant a fire department turnaround was not needed. Planner Caines responded affirmatively, and also noted that the fire chief had reviewed the plans and did not have any comments or concerns.

There were no additional questions for staff and the floor was re-opened to public testimony.

2. Proponents

The property owner, Shannon McCaw, stated that they were excited to be able to turn in an application that didnôt require any code adjustments or variances.

Stacey Goldstein stated that she represented the applicant and was available for any questions. She also felt that they did what they could to eliminate the code adjustments and variances.

Commissioner Ormonde asked where Shannon lived. Ms. McCaw responded Chehalem Drive in Newberg.

Commissioner Webb asked if the engineerôs report had any plus or minus in terms of the accuracy of the slope calculations. Bill Kehrli, the civil engineer for the applicant, responded that it was approximately within one-hundredth of a percent. He also stated he was there to answer any questions that may arise.

3. Opponents

Terry Newhouse was called on but stated that he had nothing to say at this time.

Andrew Estroff commented regarding the driveways for lot 1, 2, and 4. He stated that the road ends at property line and wondered how the driveway would access the road. He noted a discrepancy in the stormwater sloping reports. He questioned what would be built on the property with the retaining wall, noting sloping. He also asked if the City was going to be putting in the sidewalk noted on the plans, concerned that it would be the only section of sidewalk on that portion of the road.

Don Lowe raised several issues. 1) Stormwater ï he stated that it did not appear there was any mitigation offered for the drainage issues on 9th Street as noted in the conditions of approval; 2) Driveways ï They are too close and do not meet city code. 3) There is a power pole in the middle of the driveway that services the existing houses. He noted that the city stated it would allow a deferral on undergrounding but did not provide a resolution to how the pole would be mitigated during the widening of the street and construction of the driveway; 4) Fire hydrant flow testing and water pressure. He felt that the issue with the lack of pressure needed to be addressed prior to moving forward and affecting the existing residents; 5) There was nothing noted in the application of how they were going to level the lots and keep the land from sliding; 6) Municipal Code that any new subdivision will not cause harm to the existing harm to the existing neighborhood. He believed there was a monetary harm to the neighborhood uphill should the views be lost. He requested denial of the applications stating that it was not the right plan in this place in the neighborhood.

Commissioner Webb asked if there was a separate application and authorization that took place after the approval of a land use process. Planner Caines responded yes, there would be an engineering process for site construction approval. She also responded regarding the driveway access question by stating that the 25-foot was a shared access for those lots.

There were no other requests for opponent testimony.

Chairman Howland asked for applicant rebuttal.

Mr. Kehrli explained the slope numbers and why there was a difference between the reports.

There was discussion between Commission members, the City Planner, and comments from the audience having to do with the driveway requirements not meeting existing code, the engineerôs discretion in allowing variances, and why codes existed if they werenôt going to be followed. It was clarified once more that the applicant had to complete an engineering process and receive approval for construction of the site improvements before being allowed to build.

Chairman Howland closed public testimony.

4. Staff Recommendation

Planner Caines stated that the applicant had met the approval criteria and recommended approval.

5. Deliberation

There was discussion between the commissioners, planner, and attorney regarding whether monetary consideration was a criterion. The Development Code was consulted and the criteria read in to record. The attorney confirmed that there was nothing in the criteria that could be used to address monetary impacts.

Commissioner Webb stated that he had read through everything submitted and written and his position was to support. Commissioner Swenson seconded this statement, and clarified that the Commissions job was to make sure the application met the criteria and believed it did. Chairman Howland stated that with the changes made to the application she felt the criteria were being met, provided the conditions of approval were met. She felt they were meeting the requirements.

Commissioner Ormonde asked who assures that the conditions of approval are met. Planner Caines responded that they would be signed off by the city engineer. These would need to be approved prior

to any type of work being done or permits issued. CA Daykin noted that the next application to be submitted would be a Type B Construction Permit Application. Once requirements of the permit were met, which satisfied the conditions of approval, construction could begin. Then, post construction, another review is done to make sure everything was done as conditioned prior to the plat being signed off and recorded.

It was moved to approve the division of the 4-lots with the noted conditions of approval, striking condition 1 noted in the staff report. The motion was seconded and carried unanimously.

Chairman Howland closed the public hearing.

V. Planning Issues from Commission Members.

There was a discussion regarding beginning a "laundry list" of items that the Commission might want to revisited in the Development Code. It was requested that the Commissioners send an email to Planner Caines with the things they'd like to revisit. She could then provide a list of the items at the September meeting.

CA Daykin advised the Commissioners that the next meeting would be to review the Draft Riverside Code. He then advised them that Commissioner Whitfield had resigned and encouraged the Commissioners to recruit people.

There was a discussion regarding the desire for additional training; code enforcement; construction of sidewalks; and, putting up doggie poop bags on the Viewmont Trail. The Riverside Code and development were discussed with regard to process and timeline. The training request was revisited, specifically the types that would be most beneficial.

VI. Adjournment

The meeting was adjourned.

Shannon Howland

Shannon Howland, Chairman

ATTEST:

Melody Osborne

Melody Osborne, Planning Secretary