

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

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1. CALL TO ORDER:

Chairman Beck called the meeting to order at 7:00 p.m.

Planning Commission Present: Tom Beck, Sebastian B. Lawler, Lisa Nakajima, Dale Smith, Phil Ruder and Hugo Rojas.

Absent: Carolyn Hymes, Jon Holan, Community Development Director

Staff Present: Dan Riordan, Senior Planner; Marcia Phillips, Assistant Recorder.

2. PUBLIC MEETING:

2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:

Chairman Beck called for the staff presentation on Handout # 1.

Mr. Riordan explained that there was some difference of opinion on the Green Grove Planned Residential Development, which came before the Planning Commission at the last meeting. He said that it was unusual to bring this before the Commission in this way, but staff wanted to make sure everyone had a clear understanding of the Conditions of Approval.

Sanitary Sewer: Mr. Riordan said considerable testimony was presented during the public hearing on May 4th regarding future connection to the public sanitary sewer system. He explained that the original condition and proposed revision to Condition # 24 based on the testimony heard and Commission direction to address this issue would read, *“As a condition of building permit issuance, all property owners in Phase 1 of the development are required to execute a waiver of remonstrance against the future formation of a local improvement district (LID) to fund the future connection to the public sanitary sewer system. The CC&Rs shall include a reference that future connection to the public sanitary sewer system is required when available.”*

Water: Mr. Riordan said testimony was presented during the May 4th meeting regarding future connection to the upper water pressure zone when available. He said the original condition and proposed revision to Condition # 16 based on the testimony heard and Commission direction to address this issue would read, *“All dwellings shall connect to the City’s higher/upper water pressure zone system within one year of system availability. At such a time a water line serving the upper pressure zone is available to serve a dwelling, the dwelling shall disconnect from the lower pressure zone and connect to the upper pressure zone.”*

Thatcher Road Frontage: Mr. Riordan explained that the applicant expressed concern that the original condition # 55 is vague and does not clearly state the future requirement and obligation for frontage improvements to Thatcher Road. He said staff proposes to change the condition to reflect dedication of needed right-of-way for Thatcher Road. Riordan explained that Washington County requires a 90-foot right-of-way for Thatcher Road. He said there is uncertainty as to the amount of right-of-way needed from the subject property side of Thatcher Road, since a recent survey identified by the applicant’s representative shows the true center line of

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Thatcher Road 10-feet to the east. Riordan said the amount of right-of-way dedication will be determined during the final plan approval and permitting process. He said it is clear that Thatcher Road will not be improved for quite some time and probably not until Thatcher Road is transferred to the City, so staff supports revising condition # 55 to more clearly state the expectation and future obligation. Riordan said proposed condition # 55 would read, *“The applicant, or assignee, shall dedicate (3) three feet of right-of-way for Thatcher Road consistent with the City’s arterial road right-of-way standard. The applicant shall also improve the site access and drainage along Thatcher Road to Washington County standards, as approved, through Washington County’s Facility Permit review process, prior to issuance of any building permit by the City. All property owners shall sign a waiver of remonstrance against the future formation of a local improvement district for required future street, sidewalk, curb and gutter frontage improvements along Thatcher Road deferred by Washington County.”*

Chairman Beck stated that the Planning Commission wrote a letter to the County last year about not requiring an applicant to bring County roads up to City standards when the road is inside the City limits.

Driveway Illumination: Mr. Riordan explained that during the public hearing on May 4th, concern was raised by nearby property owners regarding possible impacts from installation of a street light at the relocated driveway access to the site and Thatcher Road. Riordan said the proposed revised condition #67 would read, *“The applicant shall provide illumination at the driveway access and Thatcher Road as required by the Washington County Land Use and Transportation Department. Any streetlight, or other illumination, installed by the applicant shall be designed to minimize adverse impacts to the night sky and surrounding properties through appropriate shielding.”*

APPLICANT:

Dorothy Cofield, Applicant’s Representative, 8705 SW Nimbus Ave., Beaverton, OR 97008. Ms. Cofield said the applicant agrees with staff on condition # 55 up to the Waiver of Remonstrance on Thatcher Road improvements. She explained it was a record of survey done at the time of annexation that showed the applicant has already dedicated 30-feet of their property to the right-of-way, so asking them to dedicate more is too much and would begin to interfere with setbacks. She said the applicant wants to strike the part of the condition regarding the Waiver of Remonstrance, and would like ideas from the Commission as alternatives to street lights. Cofield said the applicant supports the rest of the conditions as proposed by staff.

Chairman Beck polled the Commissioners and it was agreed to strike the requirement for a Waiver of Remonstrance on condition # 55, and leave the proposed wording about driveway illumination as written because it allows discussion with Washington County by the applicant.

In response to a question from Ms. Cofield, Mr. Riordan said the right-of-way dedication would be declared when the final plan is submitted.

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2.2 PUBLIC HEARING:

**Public Hearing: CPA-15-00290/ZNC-15-00291 Type IV (legislative)
amendments to the Forest Grove Comprehensive Plan Map and Official Zoning
Map to reduce development density affecting approximately 12.4 acres of land
located east of Ritchey Road and south of Pacific Avenue.**

Chairman Beck opened the public hearing at 7:26 p.m., and asked for disclosure of any conflicts of interest, ex-parte contacts, bias, or abstentions. Commissioner Nakajima said she drives Ritchey Road frequently. Chairman Beck waived the reading of the remaining hearing procedure as there was no one in the audience, and called for the staff report.

Mr. Riordan gave a PowerPoint presentation offering a brief overview of the area east of Ritchey Road and south of Pacific Avenue.

Chairman Beck asked staff to go directly to Alternative # 6 since the Commissioners are familiar with the other alternatives as stated in the packet.

Mr. Riordan explained that Alternative #6 is the preferred alternative, and designates the area along Ritchey Road as single family residential (R-10). He said the area to the east south of Pacific Avenue would be designated a combination single family residential (R-5) adjacent to Pacific Avenue and single family residential (R-7) further to the south adjacent to the urban growth boundary. Riordan also explained that if the area were to develop in the future there may be a blending of the zoning.

Mr. Riordan read through the approval criteria and stated that staff recommends approval of the amendments.

In response to a question from Commissioner Nakajima, Mr. Riordan said the only questions from property owners came from the Kenzers. He said they had come in that morning with questions about how these proposed changes would affect future development of their property.

Chairman Beck closed the public hearing at 7:38 p.m.

COMMISSION DISCUSSION:

There were no further comments or questions from the Commissioners.

Commissioner Ruder made a motion to recommend approval of the amendments to the Forest Grove Comprehensive Plan Map and Official Zoning Map to reduce development density affecting land located east of Ritchey Road and south of Pacific Avenue CPA-15-00290/ZNC-15-00291. Commissioner Smith seconded. Motion passed 6-0.

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2.3 ACTION ITEMS: None.

2.4 WORK SESSION ITEMS: None.

3.0 BUSINESS MEETING:

3.1 APPROVAL OF MINUTES: The minutes of the April 6th and May 4th were approved with three minor corrections.

3.2 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES: None.

3.3 DIRECTOR'S REPORT:

In Mr. Holan's absence, Mr. Riordan reminded the Commissioners that on Wednesday, May 20th, the second design charette for the Westside Planning Project will be held. This includes the Purdin Road area that was recently brought into the UGB, and the area west of Thatcher Rd. primarily north of Watercrest Rd. He said staff is hoping the result of that meeting will be a consensus land use alternative for the consultant to use to assess traffic impacts and infrastructure needs.

Mr. Riordan said staff has tentatively scheduled a meeting for June 1st for the code update project. We hope the consultant will have their recommendations ready on the zoning standards for the new mixed use areas and the town center expansion area that was approved as part of the Comprehensive Plan update. He said the session is still tentative, but if it does not happen on June 1st it will happen on June 15th. Riordan said right now there is nothing scheduled on the 15th.

Mr. Riordan said in July there will most likely be a work session on the Westside Planning project after the consultant has a chance to synthesize the outcome of the community meeting on Wednesday.

Mr. Riordan informed the Commission that staff has learned recently that Lenar Homes is interested in purchasing the development rights for Gales Creek Terrace Phases 1&2. He said Lenar Homes is in their due diligence period right now, and they have requested a meeting with staff. He said they have a number of questions about the Conditions of Approval. Staff does not know whether or not they will move forward with Phases 1&2 of the project. He said there are some issues that need to be resolved – primarily regarding Conditions of Approval in Phases 3&4 that relate to Phases 1&2. Riordan said most notably the duplex development which is in Phase 4, and the secondary access which is in Phases 1&2 and would go through the Kenzer's property. He said that since Stafford Land Company has not been able to reach an agreement with the Kenzers, that whole phase of the project is in limbo. Riordan said at this point we do not know if Stafford Land Co. will continue with Phases 3&4 – perhaps sell those development rights as well, and that developer would then negotiate with the Kenzers.

Chairman Beck asked if the project stands when parts of it fail.

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Mr. Riordan explained that is the internal discussion staff is having now, and needs to be discussed with legal counsel, because it came in as a package and the phasing schedule has to adhere to the plan as approved. Riordan said given that there are conditions that relate to Phases 1&2, it is difficult to see how the early phases could proceed without having control over the entire site, and Lenar Homes has expressed no interest in Phases 3&4. He said it may require a revision, but it is unknown at this time. Riordan said it came in as a package with one developer, and there is nothing legally preventing the developer from selling their development rights, but it certainly complicates things.

3.4 ANNOUNCEMENT OF NEXT MEETING: Next meeting will be held in June, depending upon which date works best for staff, and for the meeting in July - July 6th would work best for the Commissioners.

3.5 ADJOURNMENT: The meeting was adjourned at 7:46 p.m.

Respectfully submitted by:
Marcia Phillips
Assistant Recorder