

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7PM
TUESDAY, MARCH 18, 2014**

Commission Members:

John Lusby, Michelle Sumner, Bertha Egbert, Mike Meier, Adam Sarnoski, Mike Flick

City Staff:

City Planner, Carole Connell
Community Development Director, Vicki Luther
Community Development Technician, Billie Wright

Audience:

Lisa Navickas-Avery, Gordon Avery, Steve Lovemark, Joe Groussman, Denny Cameron, Frank Egbert, Karen Meier, Floyd Van Sickle, Larry Bahr, Patricia Klassen and Sierra Moon

Meeting called to order at 7:00 pm by Chair Lusby.

Flag Salute

Introduction of Media – None present.

CD Director Luther noted for the record, a quorum of City Council members was in attendance: Denny Cameron, Patricia Klassen, Frank Egbert and Karen Meier.

- **Approval of Minutes**

MOTION made by Commissioner Sumner to approve the minutes of the January 21, 2014 Planning Commission meeting; second made by Commissioner Flick.

In favor: Commissioners Meier, Sarnoski, Flick, Sumner, Egbert, and Chair Lusby

Opposed: None

Motion carried unanimously.

- **Public Hearing – File No. SUB-13-02**

Appeal of the Community Development Director's Decision approving the 76-lot Fairway Ridge Tentative Subdivision Plan.

Chair Lusby opened the hearing with the disclosure statement; all persons testifying shall be deemed parties to the appeal application and must provide full name and mailing address if they wish to be notified of the decision, continuances, appeals, or procedural actions required by the Code. The City Zoning Code specifies applicable materials to be relied upon in making a decision.

Lusby stressed addressing just the specific issues. He asked the Commission if there were any conflicts of interest or personal bias – *None*. He asked the audience if there were any challenges of impartiality of any person(s) on the Commission– *None*.

Planner Connell summarized the Notice of Decision and the request. She cited the dates of approval and appeal, explaining the appeal decision is made by the Planning Commission; their decision is then subject to appeal to City Council. Alaska Sutherland Knolls Corporation, owning property adjoining the proposed development, appealed the Community Development Director's decision. The only specific item mentioned in the appeal was the requirement of the applicant to obtain access from Scardi Boulevard which is partially owned by the Corporation.

Connell reported, since the subdivision application was deemed complete on October 24, 2013, by state law the City was obligated to make a final decision, including hearing all appeals by February 21, 2014. The appeal was originally scheduled for February 18, 2014 followed by a request for a 30-day extension by the appellant. After additional discussions, meetings, and attempts to resolve the issues, with no results, the appellant granted an additional 90-day extension moving that February 21, 2014 deadline date to June 19, 2014; this is to provide time to work through the Planning Commission hearing as well as allowing for possible appeal to the City Council for a final decision.

Some background information: In 2008 the City received a development request for this same property – a 75-lot subdivision. It was reviewed and preliminarily approved by the City using the same Type II proceeding, and meeting all the standards. Because of the downturn of the economy, that application was withdrawn.

The applicant has frontage on Scardi and an existing 45 feet is owned by the Homeowners Association. One of the conditions of approval was the applicant would be required to dedicate an additional 15 feet to meet the minimum 60 foot street width. In order for Scardi to become a City street it would need to be built to City standards.

Chair Lusby asked the appellant if there were any additional comments they wished to make.

Representing the applicant, Steve Lovemark, i.e. Engineering, reported he was available to answer any questions. He provided background information on the property and how it was acquired. He addressed the comment letter received from the Homeowners Association by the City (November 2013) about the area's present wildlife habitat and the invasive plant species.

Planner Connell noted, for the record, there are really two applicants; the other being Alaska Sutherland Knolls Corp. [Note: Alaska Sutherland Knolls Corp were not represented at this hearing]

Connell submitted, for the record, written questions and concerns received from Donna Pagel, member of the Knolls Estate Homeowners Association, letter dated 2-14-18.

Chair Lusby asked the audience for any other requests for party status. Joe Groussman asked for clarification. Lusby explained party status belongs to those who have the ability to appeal this decision. Anyone who wants to appeal needs to state their name and address, which Mr. Groussman did.

In Favor: No one came forward as being in favor of the proposed subdivision.

In opposition:

Joe Groussman, Knolls Estate Homeowners Association

- According to Douglas County records, the deed dated February 25, 2014 shows Scardi Blvd. west of Culver Loop as owned by Knolls Estate. As part of the court order settlement, participants of the subdivision were allowed egress and construction to utilities over the roads. In the plan the driveways appear to egress onto Scardi Blvd. Groussman does not believe that to be in the original plans. It looks like it has been moved to the intersection of Culver Loop.
- Water connection from the subdivision has to be to the City supply. Knolls Estate PUD master water meter is on the corner of Culver and Scardi. City needs to make sure this subdivision does not tie into the water past that master meter.
- There needs to be a minimum of a 48-hour notice given prior to any disruption of utilities caused by construction.
- Recommended a shared driveway from lots 1 and 2 that goes north to Sand Pines Avenue; to be an egress shared between lots 1 and 2 and to the property north.
- There is a concern about traffic congestion egress from the PUD and the subdivision.

- Will there be fences along Scardi; open backyards will affect the PUD.
- If there was an environmental or traffic study done, when that was and how can it be made available to homeowners.
- There is confusion as to where the subdivision actually is; the surveyor flags are to the west of the mapped area.
- The map shows a storm water detention area just north of Scardi Blvd. Currently that dirt area is at grade level of Scardi owned by the PUD. Will having the detention area there flood Scardi which would affect everyone to the east, or are they planning some kind of improvement that will give them a retention pond.
- If there are damages to Scardi Blvd. repair will be necessary.

Donna Pagel

- Concerned about the traffic. There is a blind corner on the hill coming from Scardi Blvd. down to Eagle Loop. Sometimes people don't drive 25 miles per hour. There will be more cars on the road and only one entrance from the subdivision; there have already been some near misses from people driving too fast around that corner. She thought Stearns Lane was to be another entrance to be used by heavy construction vehicles.

Planner Connell reported appellant Alaska Sutherland Knolls Corp. was not present for a rebuttal.

Applicant representative, Steve Lovemark, responded to questions posed.

- One condition of approval requires a warrant study by ODOT. That study was previously done at the intersection of Hwy 138 and Dovetail. People driving more than 25mph would be an enforcement issue.
- Calculations were completed on the pre-existing runoff and the post runoff of the storm drainage area. An area big enough to detain the water during storms will be graded and approved by the City.
- There will be sidewalks on the north side of Scardi Blvd. to include planter strips and trees.
- Heavy construction vehicles will be using Dovetail and Scardi; any damage will be repaired to City standards.
- Preliminary map shows five connections to future subdivisions with future development. The road will continue out to Stearns; no plan in place as to when that might be.
- The water will be connected to the City's main line and set up to eventually loop through Alaska Sutherland Knolls property for future developments.
- Lots 1 and 2, which access off of Scardi, have been conditioned to have a shared driveway. All other lots access off the subdivision streets.
- An environmental study was not provided as no significant resources have been identified – no floodplain, no wetlands.

With no other comments or testimonies, Chair Lusby closed the hearing.

- **Public Comment**

Patricia Klassen asked if approved, has there been a time set to begin construction? *Probably not until sometime next year.*

- **Commission Comments**

Commissioner Sumner asked what ASKC was appealing. *Nobody was here to address that. They were appealing the process of dedication/access to Scardi Boulevard. This appears to be a matter between ASKC and Galpin, not the City.*

Commissioner Flick asked for clarification of the extension of Scardi Blvd. *The addition to Scardi will be built to City Standards.*

Based on the testimony Planner Connell asked the Planning Commission if they might like to consider adding two conditions:

1. Add new condition #30 – Provide 48 hour notice to affected residents prior to any disruption of utility services due to construction.
2. Add new condition #31 – Additional landscaping/screening to be provided in the storm water detention area adjoining Scardi Blvd.

MOTION made by Commissioner Egbert to uphold the decision of the Community Development Director in the matter of File No. SUB-13-02 Fairway Ridge Tentative Subdivision Plan adding the following conditions:

#30 – The developer shall notify all affected residents in the area at least 48 hours in advance of any interruption in utilities due to construction activities.

#31 – The developer shall provide additional landscape screening materials and improvement in the storm water detention area adjoining Scardi Blvd.

Second by Commissioner Sarnoski.

In favor: Commissioners Meier, Sarnoski, Flick, Sumner, Egbert and Chair Lusby

Opposed: None

Motion carried unanimously.

- **Community Development Director's Report**

- Property and Parks Activity

- Boundary Line Adjustment between Lusk/Luzier; Lusk selling portion of property to Luzier; no development planned at this time.
- Permits issued for a new garage and one remodel.
- Video store converted to an ice cream shop.
- Two new memorial benches placed:
 - Central Park – memory of Don Moore
 - Fire Station – memory of Scott Seekins
- Landscaping at Everett Street trailhead to the Red Rock Trail.
- Tree planting in front of City Hall.

- City Project Activity

- Fourth Avenue paving between Willamette and Umpqua will be completed in the next few weeks.
- Wastewater Facilities Plan has been approved by DEQ. The next step is to secure funding for upgrades to treatment plant.
- The City seeking purchase of Ford's Pond which would be used to store effluent water and likely serve as a park/reserve area.
- Two public forums have been scheduled to provide information regarding the upgrade to the wastewater treatment and purchase of Ford's Pond: April 8th 1:00 – 3:00 and 6:00 – 8:00pm.

- Announcements

- Sutherlin Municipal Code requires the Planning Commission to meet once a month.
- The Budget Committee has scheduled a meeting on May 20th which means Planning Commission will need to reschedule to another date. Commission agreed to hold their May meeting on Tuesday, May 13th.
- Planning Commissioner, Rita Jost, has submitted her resignation and will no longer be attending. City Council will be considering appointment to fill the vacant position.

- **Adjournment**

With no further business the meeting was adjourned at 8:16 pm.

Respectfully submitted,

Billie Wright
Community Development Technician

APPROVED BY COMMISSION ON THE 15th DAY OF APRIL 2014

John Lusby, Commission Chair