



PLANNING COMMISSION REGULAR SESSION MINUTES ~ APPROVED
THURSDAY, JULY 24, 2014 AT 5:00 PM
City Hall ~ 82877 Spruce St., Westlake, OR 97493

The proceedings of the Dunes City Planning Commission were recorded and are on file at Dunes City Hall. Upon approval by the Planning Commission, these minutes will be available online at www.dunescity.com.

1. CALL TO ORDER

The July 24th Planning Commission meeting was called to order by Chairman George Burke at 5:04 pm.

2. ROLL CALL

Roll Call was taken by City Administrator/Recorder Fred Hilden.

Present: Chairman George Burke, Vice Chairman Paul Gargis, Commissioner Ken Henderson, and Commissioner Norman Martin. (There is one vacancy.)

Others Present: Planning Secretary Rapunzel Oberholtzer and Citizen Advisory Committee applicants Susie Navetta, Mary Jo Leach and John Stead.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Noting that Puzzle Forest Final Plat applicants Gordon and Lori Robertson were not yet present at the meeting, Chairman Burke requested that the meeting Agenda be amended so that, under New Business (Item 10), the Citizen Advisory Committee Appointments become the first order of business (Item A) and the review of the Puzzle Forest Final Plat Application become the second order of business (Item B).

Commissioner Henderson made a motion to approve the Agenda as amended by Chairman Burke. Vice Chairman Gargis seconded the motion. The motion passed by unanimous vote.

5. APPROVAL OF THE CONSENT AGENDA

Vice Chairman Gargis made a motion to approve the July 8, 2014 Special Session minutes as submitted. Commissioner Henderson seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS /CORRESPONDENCE

City Administrator/Recorder Hilden announced that a press release describing the vacancy on the Planning Commission was sent out on July 16th to *The Siuslaw News* and KCST, subsequently appearing in the *News* on Saturday, the 19th. Commissioner Henderson noted that the press release also appeared in the *News* on Wednesday, the 23rd.

7. CITIZEN INPUT – None

8. PUBLIC HEARING – None

9. UNFINISHED/OLD BUSINESS – None

10. NEW BUSINESS

A. Citizen Advisory Committee Appointments

Chairman Burke pointed out that the City received five applications for the Citizen Advisory Committee (CAC), and noted that the Planning Commission had previously agreed that a five-member CAC would be adequate. Chairman Burke asked City Administrator/Recorder Hilden to read aloud the Public Notice announcing the formation of the CAC and describing the number of meetings and the deadlines. City Administrator/Recorder noted that the Public Notice was published in *The Siuslaw News* on July 9th and July 12th and posted publicly. He proceeded to read the Notice as it was published:

“Notice Is Hereby Given: Dunes City Planning Commission Request for Applicants to Citizen Advisory Committee (CAC) Regarding Dunes City Septic Maintenance Ordinance No. 203 Amendments

“The Dunes City Planning Commission is seeking Applicants for appointment to a Citizen Advisory Committee (CAC). The CAC will provide a recommendation on proposed changes to Dunes City’s Ordinance No. 203 regarding Septic System Maintenance. Applicants for appointment to the CAC are not required to be residents or land owners in Dunes City but must complete an Application for Appointive Office form available at Dunes City Hall or from the City’s website www.dunescity.com/city-permits-and-information. Applications may be mailed or delivered to Dunes City Hall, 82877 Spruce St., Westlake, OR 97493, or emailed to recorder@dunescityor.com. Applications must be received by Dunes City Hall by 12:00 pm on Wednesday, July 23, 2014.

“Applicants should plan to attend a public meeting of the Dunes City Planning Commission on Thursday, July 24, 2014 at 5:00 pm, during which appointments will be made and details of the CAC’s responsibilities will be available. The Planning Commission anticipates appointing a CAC consisting of five members selected from the applications received by the City. It is expected that the CAC will convene weekly starting the week of July 28th. The CAC’s final recommendation is to be prepared for Planning Commission consideration, along with other citizen testimony, by September 18th.

"For additional information please contact Fred Hilden, City Recorder at (541) 997-3338 or recorder@dunescityor.com."

City Administrator/Recorder Hilden pointed out that the September 18th deadline for the CAC to submit its recommendations to the Planning Commission is one week before the Planning Commission's regular September meeting on the 25th. He went on to note that City Staff made copies of the Citizen Advisory Committee Procedures, Responsibilities and Expectations, approved by the City Council, as well as copies of Ordinance Nos. 203, 211A and 210A (both of those are from 2012) so that the CAC has recent, pertinent information.

For the record, City Administrator/Recorder Hilden read aloud the names of the five applicants to the CAC:

- Bonnie Rose Allen (not present)
- Susie Navetta (present)
- Mary Jo Leach (present)
- John Stead (present)
- Denise Sanders (not present)

Chairman Burke explained that the Planning Commission has the option of appointing a Chairperson of the CAC or allowing the CAC appointees to select their own Chairperson. He went on to add that this CAC would appoint its own Chairperson. Chairman Burke added that City Staff would be available for each CAC meeting, the meetings would be recorded and City Staff would transcribe the minutes. He asked whether the applicants had any problem with meeting weekly until the 18th of September—or until their task was complete, if completed before September 18th.

Chairman Burke and City Administrator/Recorder Hilden pointed out that the CAC could set their meeting time and notify City Staff 48 hours in advance so that proper notice would be made. Chairman Burke also pointed out that the CAC meetings are regular public meetings that the public can attend and provide input, any public input would become part of the record of the meeting. He further noted that the public could provide both oral and written input to the CAC.

Mr. Stead asked whether there were rules for the CAC to follow. Planning Secretary Rapunzel distributed copies of the Procedures, Responsibilities and Expectations along with the three Ordinances, copies of the applications and City Hall calendars for the months of July, August and September.

Mr. Stead noted that someone would have to call the first meeting. Chairman Burke suggested that the applicants communicate among themselves and decide on a date and time for the meeting, and noted that the Planning Commission would not dictate the dates and times of the meetings but would ask that the CAC meet once a week until the project is finished and the recommendations to the Planning Commission have been submitted.

Following the discussion, and confirming that the applicants were willing to accept the task being assigned to them, Chairman Burke requested a motion to appoint the CAC members.

Commissioner Henderson made a motion to appoint to the Citizen Advisory Committee reviewing Septic Maintenance Ordinance No. 203 applicants Bonnie Rose Allen, Mary Jo Leach, Susie Navetta, Denise Sanders, and John Stead. Vice Chairman Gargis seconded the motion. The motion passed by unanimous vote.

Chairman Burke asked the CAC appointees for questions. In response to a question about taking minutes, City Administrator/Recorder Hilden and Chairman Burke clarified that City Staff will record the meeting and take the minutes. City Administrator/Recorder Hilden suggested that the CAC agree on regular meeting dates to give City Staff a few days to prepare a draft of minutes to review at the next meeting, and noted that Staff would prepare draft minutes for approval at the following meeting. In response to a question about the frequency of meetings, Chairman Burke clarified that the CAC was not limited to one meeting a week but the Planning Commission is asking that the CAC have at least one meeting a week.

There was a further discussion about the frequency of meetings with Chairman Burke suggesting that the CAC work with the City Administrator to make sure Staff is available and the meeting dates can be publicly posted. City Administrator/Recorder Hilden noted that there are no rules about frequency of meetings in the administrative policy, the Planning Commission is requesting weekly meetings due to the difficulty of the task at hand and the deadline for the CAC's recommendations. Chairman Burke reiterated his request that the CAC meet at least weekly, but acknowledged that everyone has other things to do and the intent of the request for weekly meetings is to ensure that the task is completed in timely manner. He noted that the City Council had assigned the Planning Commission this task, and the Planning Commission had set the deadline in order to respond to the Council's consensus of opinion that a septic maintenance ordinance needs to be finalized as soon as possible.

Chairman Burke read aloud for the CAC members the motion made, seconded and unanimously agreed upon during the June 12th City Council meeting:

“Council President Mills made a motion that a re-examination and review of 203 be referred to the Planning Commission with instructions that they call a CAC under the terms and conditions that are allowable under State law and that they work with the City Recorder/City Manager to have whatever experts are necessary to do the job.

“Councilor Sanders commented that he was not sure he understood the motion and asked whether the motion was to direct the Planning Commission to convene a CAC to conduct a review of Ordinance 203. He would second the motion if that was correct.

“Council President Mills clarified that was the motion and noted that the motion should include for purposes of making a recommendation for language changes, if any.”

Commissioner Martin requested clarification about what the CAC was expected to present to the Planning Commission. Chairman Burke explained that the CAC’s responsibilities include gathering public comment and making recommendations in writing to the Planning Commission based on that input. City Staff’s responsibility is to make sure that all of the input, the minutes, the CAC recommendations, etc. are fully documented for presentation to the City Council. City Administrator/Recorder Hilden went on to add that the Council has made it clear that it wants to see all of the citizen input, not just recommendations provided by the CAC.

City Administrator/Recorder Hilden noted that the summer months are vacation time for many people and CAC members might not all be available for every meeting; he encouraged the appointees to meet on schedule whether or not everyone was available. He went on to note that the CAC does not have quorum requirements.

Chairman Burke thanked the appointees for applying and volunteering their time for this project, noting their work is a critical first step in the formal process of creating a City Ordinance.

B. Puzzle Forest Final Plat Application

Puzzle Forest Final Plat applicants Gordon and Lori Robertson joined the meeting in progress at 5:40 pm as Commissioners were beginning their discussion of their Final Plat Application.

Chairman Burke asked City Administrator/Recorder Hilden to review the highlights of the two Puzzle Forest Staff Reports and Findings of Fact. City Administrator/Recorder Hilden noted that there are two Final Partition Plats, PF-01-14 (for Lot 19-12-26-22 TL 2802) and PF-02-14 (for Lot 19-12-26-22 TL 2803) and, except for the physical descriptions, the Staff Reports and Findings of Fact are identical. He pointed out that a portion of the easement for the new public street is associated with the southern plat (2803) and, as requested by the project engineer, Gene Wobbe, that plat will be recorded with Lane County before the northern plat (2802).

City Administrator/Recorder Hilden read excerpts from the Staff Reports and Findings of Fact:

INTRODUCTION

The requested action is the review of a final partition plat for tax lot 19-12-26-22-02802. The subject properties are in the Residential (R-1) zoning district within the City limits of Dunes City and within the Dunes City Urban Growth Boundary. In 2012, the Planning Commission approved the first phase of the Puzzle Forest land division which created the two subject tax lots (19-12-26-22-02802 and 19-12-26-22-02803). As part of the first phase the following improvements were approved:

- A final partition plat for Puzzle Forest, LLC recorded November 7, 2012 (Plat No. 2012-P2552, Lane County Surveyors Office C.S. File No. 42479)
- A 60-foot wide private access and utility easement (Document No. 2012-57628)
- An access drive entrance location off Clear Lake Road (County Road 1174)

The partition of Lot 19-12-26-22-02802 into three parcels is proposed as follows: Parcel 1 will be 1.04 acres and is proposed to have access onto a shared driveway connected to the proposed Doonbrae Lane, Parcel 2 will be 1.28 acres and is proposed to have access onto the proposed Doonbrae Lane connected to Clear Lake Road, Parcel 3 will be 1.87 acres and is proposed to have access onto the proposed Doonbrae Lane connected to Clear Lake Road (See Exhibit A, Final Plat).

The partition of Lot 19-12-26-22-02803 into three parcels is proposed as follows: Parcel 1 will be 3.57 acres and is proposed to have access onto a shared driveway connected to the proposed Doonbrae Lane, Parcel 2 will be 1.79 acres and is proposed to have access onto a shared driveway connected to the proposed Doonbrae Lane, Parcel 3 will be 1.25 acres and is proposed to have access onto the proposed Doonbrae Lane connected to Clear Lake Road (See Exhibit A, Preliminary Plat).

On July 1, 2013 the preliminary partition applications were submitted. On August 13, 2013, the preliminary partition was approved. The final plat was submitted on July 17, 2014. Referral comments include the following:

1. *The Dyer Partnership Engineers and Stutzner Engineering:*

Tom Hart, of the Dyer Partnership, forwarded an evaluation by Stutzner Engineering reporting substantial completion of the Puzzle Forest Partition Plat Improvements...

Tom Hart, City Engineer, and Jacob Callister, City Planner, provided feedback on the Final Plat(s). Recommended changes were incorporated by the applicant's surveyor, Gene Wobbe. The City Engineer provided confirmation of Final Acceptance on July 22, 2014 noting:

The Dyer Partnership spot checked the utility trenching...

2. *Lane County Public Works Environmental Health*

George Ehlers provided referral comments for the preliminary partition. Comments focused on septic service. He noted that prior to final approval of the partitions the applicant would need to prove that each lot will support a septic system and repair area. The applicant secured a Sewage Disposal Site Evaluation from Lane County which approves a septic system as prescribed in the approval (Exhibit E). When the developer decides to develop the sites, they will need to apply for Septic Installation Permits from Lane County.

3. *South Coast Water District, Inc.*

Randall Reitz, District President, provided the following confirmation on July 16, 2014: Please accept this letter as confirmation that residential water service is now available for distribution from the South Coast Water District to the six lots in your development, identified as Map 19-12-26-22, Tax Lots 2802 and 2803. The water line has met the pressure test and water analysis parameters required.

APPLICABLE CRITERIA

Dunes City applies the following criteria from Dunes City Code: Section 155.4.1.5 Type II Procedure (Administrative), and Section 155.4.3.160 Final Plat Submission Requirements and Approval Criteria.

City Administrator/Recorder Hilden noted that City Planner Jacob Callister, on page 7 of the Staff Reports and Findings of Fact wrote his recommended decision,

“IT IS HEREBY ORDERED that the Dunes City Planning Commission approves the final partition plan for Lori Robertson (PF-01-14) (PF-02-14) based on the information and exhibits contained in the staff report and the findings of fact stated in this document.

“This action shall become final ten (10) days from the date of signing of these Findings of Fact by a representative of the Dunes City Planning Commission. Failure of the applicant to raise constitutional or other issues relating to the decision precludes an action for damages in circuit court.”

There was some discussion about the plat maps and the existing graveled driveway that was created, as required, for access to the storm drainage area but could also be a potential driveway for a home.

Vice Chairman Gargis made a motion to approve the Staff Report and Findings of Fact for Final Partition Plat PF-01-14 (TL 2802). Commissioner Henderson seconded the motion. The motion passed by unanimous vote.

Commissioner Henderson made a motion to approve the Staff Report and Findings of Fact for Final Partition Plat PF-02-14 (TL 2803). Vice Chairman Gargis seconded the motion. The motion passed by unanimous vote.

Commissioner Henderson verified that Lane County approved the septic for both lots.

Vice Chairman Gargis made a motion to approve the final plat for 2802. Commissioner Henderson seconded the motion. The motion passed by unanimous vote. There were three ayes, none opposed, and there is one vacancy on the Commission.

Vice Chairman Gargis made a motion to approve the final plat for 2803. Commissioner Henderson seconded the motion. The motion passed by unanimous vote. There were three ayes, none opposed, and there is one vacancy on the Commission.

Commissioners congratulated the Robertsons on their approvals and noted that the work on their property was beautifully done.

11. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA – None

Commissioner Henderson asked if there had been any response to the City’s published request for applicants to fill the vacancy on the Planning Commission. There are none.

12. ADJOURNMENT

Commissioner Henderson made a motion to adjourn the meeting. Commissioner Martin seconded the motion. The motion passed by unanimous vote.

Chairman Burke adjourned the Planning Commission meeting at 6:03 pm.

APPROVED BY THE PLANNING COMMISSION ON THE 12th DAY OF AUGUST 2014.

[Signed copy available at City Hall]

George Burke, Planning Commission Chairman

ATTEST:

[Signed copy available at City Hall]

Rapunzel Oberholtzer, Planning Secretary