



Planning Commission Meeting

July 29, 2019

CALL TO ORDER: Randy Cranston called the Sublimity Planning Commission meeting to order at 7:00 PM. Other members present: Dolores Morris, Joe Wolf, and Shelby Walker. Staff present: Alan Frost, Public Works Director; Myrna Harding, Finance Director; Katie Scott, City Recorder; Lisa Brosnan, COG Planner; Steve Ward, City Engineer; and Rebekah Dohrman, Attorney. The Pledge of allegiance was said. There were 29 people in the audience.

PUBLIC HEARING: SUBDIVISION 2019-01 – A subdivision of 5.72-acre site in the Low Density Residential (R-1) zone into approximately 15 lots with associated streets and utilities.

Randy Cranston opened the public hearing at 7:03 PM. Lisa Brosnan, City Planner, read the required items into the record. Randy asked the Planning Commission for ex-parte contact, conflicts of interest, or bias. Dolores Morris noted that she drives by the site and drove down the private lane to see the property. Shelby Walker has driven by the site. Joe Wolf stated that he has ex-parte contact. He owns the property at 106 Faelan that abuts lots seven and eight, as well as the twelve-foot-wide parcel that extends from West Main to Starr Street. He has no bias but will recuse himself from the public hearing. Joe Wolf removed himself from the bench and sat in the audience. Randy Cranston has driven by the site on multiple occasions. Randy asked for any challenges from the applicant or the public regarding the Planning Commission's statements. None were given.

Lisa Brosnan presented the prepared staff report.

Applicant: Gerry Warner, Engineer with Willamette Engineering speaking on behalf of the applicant, has reviewed the staff report and have no concerns or questions at this time.

Randy opened the public hearing to comments from the public and noted that schools cannot be considered as criteria of the public hearing.

Neutral:

- Peter Klosterman, city resident is concerned with safety, the stubbed street does not seem adequate for the proposed traffic generated by the subdivision. He asked if a traffic analysis was performed. The traffic on Starr Street has increased throughout the years. Traffic naturally picks up speed going down the hill and does not slow down quick enough coming into town from Salem. He would like to see Melrose Street extended as the proposed road will not provide adequate access and egress. He asked that the engineer point out the water, sewer and storm drains.
- Terry Mischke, city resident, agrees with Peter regarding safety concerns. He was at corner of Melrose and Starr street picking up glass and there were many people that did not slow down as they drove past him. The twenty-foot road to access the subdivision is not large enough with the speed that cars drive on Starr Street.
- Demetri Scheratski is looking into purchasing the existing house on lot seven (7). Is there any way to partition the existing lot sooner than waiting for the subdivision to go through? The West side of the house previously showed thirty feet, and now shows fifteen (15) feet. Is there any way that this can go back to thirty feet?

- Wayne Stedronsky, city resident, is concerned about safety. He stated that Starr Street is a racetrack and would like to know why the first seven to eight lots are allowed to have an entrance onto Starr street.
- Ruth McWayne, city resident, agrees with the comments about the speed and safety on the road. Questioned why duplexes are proposed for the subdivision and where the driveways will be on the duplexes. The proposed duplex lots (fifteen (15) and one (1)) have the best views.

Those against:

- Anita Woodside, city resident, has called the sheriff many times to watch the speed of the vehicles driving on Starr Street. People drive the speed of Highway 22 and large semi-trucks are driving down this road. She is concerned about the property value of her home. There is not enough policing on the road to keep it safe. The opening into the subdivision should be off Main Street rather than Starr Street.
- Carla VanDyne, city resident, is concerned about the traffic on Starr Street. It is difficult to make the left turn onto Starr street to come into town because of all the traffic. How long in the future will the proposed street be blocked off and Melrose be used? She would like to see the trees along Starr Street stay. Safety is her biggest concern.
- Edie Mischke, city resident, asked what the builder is going to do about the small animals that currently live in the area. She stated that people drive dangerously down Starr Street.

Those in favor: None

Lisa read written comments into the record.

- Joe Wolf noted that the easements listed on the site plan are incorrect. He would like to see Melrose extended; Lisa noted that the land is not owned by the applicant and would require them to purchase or acquire an easement for the road. The state will not accept the roadway without a goal exception which is extremely difficult to obtain. We cannot require the applicant to get approval from another department. Joe noted restricting access to the lots abutting Starr Street, and questioned the partitioning of the currently existing house.
- Ron Etzel, planning commission member, declared no ex-parte contact. Noticed a discrepancy of labeling the duplex lots, these should be one (1), two (2), and fifteen (15). Lisa noted that these have been corrected. Where to place the duplex driveways. Normally access to duplexes should be one per street, but as the street will be closed at some point this is not recommended. Suggests unnamed stub street be named. Suggests variance needed to establish driveways on same street, a walking path access should be established between lots five (5) and six (6), and a barrier be built on the back of lots two through six (2-6).

Randy closed the public portion of the hearing at 7:58PM

Applicant rebuttal: Jerry Horner, Willamette Engineering. A traffic study is not typically required on smaller subdivisions, but there are standards that must be followed to create a safe subdivision. The applicant would love to extend Melrose, but it cannot be accomplished.

They worked with City staff on the twenty-four (24) foot access width and there will be no parking signs on both sides of the street. This entrance lane was chosen for site distance.

The partition of the existing house is difficult. The footage of lot seven (7) was lost when the City required dedication of Melrose Street due to transportation plan requirements.

The unnamed street will have a stop sign before entering onto Starr Street.

The speed limit of Starr Street is outside of the developer and engineers' hands.

No one has any idea when Melrose Street will be built out. This requires the urban growth boundary to be extended and this is a big item.

The City requires that fifteen percent of the lot be duplex lots. He noted that Jack, the developer, will comment more on the duplexes and animals later.

He does not think that a barrier is needed on the back of the lots on Starr Street as there will be curbs and sidewalks to deter people from accessing the lots via Starr Street. The parking requirements have been met on the cul-de-sac.

He will make changes to the easements if there are any errors.

Randy Cranston questioned a sewer easement for the existing properties off Main Street. Alan noted that there is currently a sewer easement. This will remain a private easement until it hits a right of way. Discussion of easements followed. Steve Ward, City Engineer, pointed out easements on the site map.

Randy stated that the City Code requires fifteen percent duplex in all single-family developments with the goal of creating affordable housing. The State requires affordable housing for all levels of income. The Code requires that these be placed on corner lots so that they fit into a local neighborhood and don't stick out, when possible.

Randy Called for a recess at 8:23 PM.

Randy called the meeting back to order at 8:29 PM

Randy stated that the City Code requires fifteen percent duplex in all single-family developments with the goal of creating affordable housing. The State requires affordable housing for all levels of income. The Code requires that these be placed on corner lots so that they fit into a local neighborhood and don't stick out, when possible. He commented on the traffic.

The subdivision before the Commission is for fifteen lots; there is no way to pull one lot out as a partition, this would have had to been done before this application was submitted.

Randy asked if the temporary street can be eliminated, and a three-quarter street be created on lots one (1) and fifteen (15). Jerry Horner noted that this would offset the center lines from the North side. This was not pursued in detail with County, but it was discouraged. Randy asked what the applicant's position is on the pedestrian walkway between lots one (1) and six (6). They would prefer not to include this. Jerry noted that if the Commission desires Melrose to move, this would require research with the County and City and would delay the process. Steve Ward noted that this was discussed. It is not safe to have an offset of the streets at that angle. The current design ensures that Melrose will continue whether it is now or many years from now. He would not support an offset intersection and he is sure that County would not either for safety reasons. Randy asked, why would you allow twenty-four (24) feet access into the subdivision? This is the minimum access recommended and could be wider. Are curbs and sidewalks required on both side of the right of way? Yes. The applicant stated that the thirty-four (34) feet can be accomplished. Steve Ward stated the thirty-four (34) feet would allow for parking on the street whereas the twenty-four (24) feet would not allow for this.

Steve stated that neither county nor the city controls the speed on Starr street, it is the state.

Randy questioned the applicant regarding the critters on the property. Jack Yarbrough, applicant/property owner, stated that habitat is not something that generally comes up, and this is something that will have to be looked into. He agrees that the speed should be reduced on Starr Street.

Randy closed the Public portion of the hearing at 8:54 PM.

Deputy Tom Barber stated that the speed limit on Starr Street was changed in 2014 and worked with the State and County in doing so.

Steve Ward, City Engineer, would like clarification on whether the City would like a walkway. Due to the size of the subdivision, a walkway would not be necessary at this site.

Dolores Morris stated that there should be a wall built along Starr Street. She does not believe a curb will stop people from driving into backyards.

Lots one (1), two (2) and fifteen (15) will be duplexes. One (1) and two (2) will access from separate streets and fifteen (15) will access from Sir George Lane. There will be no parking on the unnamed street.

Discussion of the Conditions of Approval followed.

Steve Ward asked for clarification from the Commission on the height of the wall on Starr Street. The wall will be an average of six feet, along lots one through six (1-6).

Alan Frost mentioned that half a hammerhead was required to be built at the time that 106 Faelan Lane was developed, and lot eight (8) would be required to build the second half of the hammerhead. Alan Hume, Fire Chief noted that the existing hammerhead meets the requirements for both properties. Discussion followed. Lot eight (8) will need to acquire an access easement from the property owner of 106 Faelan, if unable to, the property owner of lot 8 must build the second half of the hammerhead on Faelan Ln.

Changes to conditions of approval: Condition #5: change "City Recorder" to "City Engineer". Condition #18: Duplexes on lots one (1) and two (2) shall access from separate streets, while access from lot fifteen (15) shall be combined access on Sir George. Condition #27: add that sidewalks on unnamed street may be deferred. Condition # 28: remove "no driveways allowed on stub street" and make the street a thirty-four (34) foot street. Condition #29: remove condition "C". Condition #30: A non-remonstrance shall be recorded against lots one through six (1-6) and lots nine through fifteen (9-15) for the cost of one-half of the Melrose street improvements. Add condition #36: The developer shall construct a masonry wall at the Starr street frontage of lots one through six (1-6). The height shall be an average of six (6) feet and shall provide for clear vision at intersections. Add condition #37: Hammerhead easement on lot eight (8).

Alan asked who would maintain the area of the wall abutting Starr street. It will be maintained by the property owner. Rebekah noted that this can be enforced via code enforcement.

MOTION: Shelby Walker made a motion to adopt the findings contained in the staff report and approve the request for subdivision 19-01, subject to the conditions set forth in the staff report as amended. Seconded by Dolores Morris. 3 ayes, motion carries.

Randy called for a recess.
Joe Wolf returned to his seat at the bench.

ADJOURNMENT: Joe Wolf moved to adjourn the meeting. Meeting adjourned at 9:53 PM.