

MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers
August 23, 2021

Planning Commissioners Present: Jim Patrick, Lee Hardy, Jim Hanselman, and Braulio Escobar.

Planning Commissioners Present by Video: Bob Berman, Gary East, and Bill Branigan.

City Staff Present: Community Development Director (CDD), Derrick Tokos; Fire Chief, Rob Murphy; and Executive Assistant, Sherri Marineau.

1. **Call to Order & Roll Call.** Chair Patrick called the meeting to order in the City Hall Council Chambers at 7:00 p.m. On roll call, Commissioners Patrick, Branigan, Berman, Hanselman, Hardy, Escobar, and East were present.

2. **Approval of Minutes.**

A. **Approval of the Planning Commission Work Session Meeting Minutes of August 9, 2021.**

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Planning Commission Work Session Meeting Minutes of August 9, 2021 with minor corrections. The motion carried unanimously in a voice vote.

B. **Approval of the Planning Commission Regular Session Meeting Minutes of August 9, 2021.**

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Planning Commission Regular Session Meeting Minutes of August 9, 2021 with minor corrections. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** None were heard.

4. **Public Hearings.** At 7:03 p.m. Chair Patrick opened the public hearing portion of the meeting.

Chair Patrick read the statement of rights and relevance. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. None were heard. Patrick called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. **File 1-PD-21/1-SUB-21 (Continued).**

Tokos reported that there had been three additional items submitted by the applicant that was shared with the Commission that day. The first was turn movement diagrams for Public Works and Fire Engine first responders. The second was an updated version of Phase 3 that took the 45 degree angle parking and extended it out to 21 feet in depth to accommodate a larger fire engine. The third provided separation between the extension of 45th and Harborton Streets so the public street didn't terminate on a multi-use path. Tokos reviewed the four conditions on the draft final order and recommended the application be approved with these conditions.

Berman asked if the roads had curbs. Tokos reported they did and he would asked the applicant to describe them. Hanselman asked if the width was 24 feet as originally planned for Geneva Street. Tokos reported Geneva Street was 20 feet and Fleming Street was 28 feet.

Escobar asked how Fire Chief, Rob Murphy viewed this plan. Murphy explained that he had a lot of input on this and recognized the city's need for development. He thought that Wilder was a very thought out development. Murphy originally wanted them not to take the widths of the streets from 24 feet down to 20 feet. His main concern was for the ladder trucks that were tough to get into tight spots such as in Nye Beach and the Bayfront because of their narrow streets. Tokos had pointed out that the ladder truck wouldn't be the primary truck that would respond to the Wilder development because the ladder truck was mainly for commercial occupancy. This didn't mean they wouldn't use the ladder truck for residential areas, because they had on occasion. Murphy reported that the new software program the Engineers used for the Wilder amendments allowed them to show the width of the wheels of the fire truck, the turning radius, and the wheel base. By doing this they accurately showed that the trucks could fit through the streets. Murphy noted the size of fire trucks weren't going to shrink. The fire engines would fit on these streets but it would be very tight. Murphy had three concerns which were 1) the depth of the driveway stalls if someone parked something bigger than a car on them and they stuck out; 2) a need for clear signage when they got into the design so people didn't try to park on the streets; and 3) concerns that the whole Wilder development was Wildland Urban Interface. Murphy reported that the neighborhood only had one way in and out for evacuations. He hoped the road could be looped sooner than later to help with this.

Hardy asked about denser developments and how accessible it would be for trucks to get to Accessory Dwelling Units (ADUs). Murphy explained that it depended on a few things. They would access ADUs between buildings or go to neighboring houses to reach them. Murphy gave a description of the process to respond to fires and the time it took to get the proper equipment there to fight them.

Berman noted that on Attachment "A3" the access required precise driving. He asked how much damage could happen if the truck went over the curbs. Tokos noted the trucks weren't driving high speeds and fire crews were used to getting around. He didn't see a scenario here where they would hit curbs at a high speeds. Murphy noted the turns at Nye Beach were hard for fire trucks to not take a curb. The operators were well trained, they knew how to make turns, and knew to take a curb slow.

Escobar asked what the impact of rights-of-ways (ROWs) being 20 feet instead of 24 feet would be, especially for ADUs occupants who parked on the street. Murphy wasn't so much worried about the design but human nature and the use afterwards. He was concerned about someone not parking their car right next to a curb and then trying to get the fire engines through the streets.

Hanselman was concerned that when safety was the most integral thing, human nature intervened and caused chaos. He didn't want this taking away from emergency response. Murphy reported that he had some concerns about fire evacuations. Tokos pointed out that they needed to acknowledge there currently was a secondary access across to the area which was gravel. The Fire Department had access there if needed and they could open it as a secondary way out of the neighborhood. What they were pursuing on the development plan was what they intended to build. There were tools to deal with the parking issues and Fleming Street would provide five additional parking spaces. Also, these were small lots with small homes on them. Tokos thought there would be few ADUs being built on these lots. He felt safety was important and was one thing the Commission could weigh.

Proponents: The applicant, Bonnie Serkin addressed the Commission and reported that she was the developer for Wilder. Serkin addressed what the Fire Chief had discussed about the Wildland Urban Interface. In Wilder they were hyper aware of the potential danger of fires. They owned forest property around Wilder and applied for a grant from the State to put together a plan do thinning in the forest to create possible trails and remove fire brush for wildfires in the area. They didn't get the grant but land owners and the city got together to pitch in and retained Landwaves as their timber manager to do clearing and removal of the worst vegetation that could be a fire danger. Serkin also reported that some of the residents had also talked to the Fire Department to see if they could learn how to operate equipment or buy equipment to protect against fires.

Serkin noted the lots were tiny and micro cottages wouldn't be more than 1,000 square feet. They couldn't put many ADUs on these lots. Serkin didn't see the lots being right for ADUs. The only ADUs that existed in Wilder were ones that were over garages.

Serkin explained that the Geneva Street alley was for parking and it wasn't possible for a vehicle to park across driveways. Residents were very aware of parking and driveways, and owners patrolled for parking issues. Serkin noted that they wouldn't propose this if the fire trucks couldn't get access.

Serkin explained that one of the criteria was about livability and the appeal of the neighborhood. Wider streets would change the size and proportion of the neighborhood. The ability to add parking on Fleming Street was important as well. Serkin thought that adding five parking spaces added to the livability. When there were narrower streets it calmed traffic and slowed the traffic to make it safer. Serkin thought they should also consider that there was cost saving in not having an extra four feet of width on neighborhood streets. There was also the environmental consideration. Serkin thought narrower streets had less run off into the stormwater drains.

Hardy asked if there was a reason they designed small lots and tiny houses instead of larger lots with more green space. Serkin noted this was one of their higher density areas and flex lots in Wilder. If they weren't smaller, there would probably be apartments there. Smaller lots were also wildly popular for rentals. Serkin reported that people were interested in buying them instead of condos and apartments.

Ryan Halverson with Dowell addressed the Commission. He reported that he had worked with the Fire Department to take their dimensions and use their program to make sure a fire truck could access the area. He wanted to highlight that they were looking to make sure this community was safe and had as little issues as possible.

Opponents: None were heard.

Chair Patrick closed the hearing at 8:07 p.m.

Hardy wasn't impressed with the concept of high density and tight streets. She had been a fire personnel and an EMT, and was familiar with the general public being ignorant and nonobservant around emergency vehicles. Hardy thought over densification of the population lead to other issues. In terms of livability she couldn't agree with this. She thought the developers did a good job in terms of consistency and trying to make their community attractive, which she didn't object to. Hardy didn't agree with some of the premise.

Hanselman thought the Wilder developers did a fine job of breaking ground in a different matter to bring different levels of homes to the community. He explained that he was a safety fanatic and knew the chaos that followed fires and evacuations. Hanselman didn't think 20 feet was enough of a margin of safety to protect the people in a very high density environment. He referenced a problem he had with another development and their drainage, wetlands, and storage ponds. Hanselman felt they shortchanged what was needed for drainage for development, and also failed to recognize that duplexes and ADUs would mean more impervious surfaces that would only increase the amount of runoff. He hoped the Wilder designs took into account the additional water that would be directed to some of their development in the future. Hanselman also felt the width of the roads was disconcerting.

Escobar reported that he often visited the Wilder development to walk his dog. He thought it was well designed and kept up. Escobar noted that to predict future behavior they would look at past behavior. He thought that prior behavior by Wilder had demonstrated that this project would be favorably considered. He thought the safety issues had been addressed and he would vote in favor.

Branigan thought the purpose was to grant a variance for a 20 foot roadway and not to have a discussion on what Wilder should do. When taking a look at the 20 foot road and additional items to ADUs and runoff, the question was if fire and safety equipment could navigate the roads going down to 20 feet. Branigan felt they answered the question that they could navigate a 20 foot road.

Berman used the recreational facilities in the area and noted the issue at hand was to narrow the street. He wasn't super comfortable with this, but if it was okay with the Fire Department and Public Works, he would vote in favor.

East agreed that the 20 foot street sections weren't ideal but as long as the Fire Department and Public Works thought it was workable he would agree to put it forward with the conditions.

Patrick agreed with Hardy about the density. The 20 foot road was tight but the trucks could run over curbs just fine. Duplexes were allowed by law but they weren't practical on these lots. Patrick also noted that the stormwater was going to be a total build out for Wilder. Tokos noted the stormwater work would provide enough capacity for the two phases Wilder was talking about. Patrick wanted to see a permanent dog park go in and he was glad to see more parking. He was in favor.

MOTION was made by Commissioner Branigan, seconded by Commissioner Berman to approve File 1-PD-21/1-SUB-21 with the four conditions. Hanselman and Hardy were a nay. The motion carried in a voice vote.

MOTION was made by Commissioner Berman, seconded by Commissioner Branigan to approve the Final Order and Findings for File 1-PD-21/1-SUB-21 with the a correction that the Bonnie Serkin's name was spelled correctly. Hanselman and Hardy were a nay. The motion carried in a voice vote.

5. **New Business.** None were heard.
6. **Unfinished Business.** None were heard.
7. **Action Items.** None were heard.
8. **Director Comments.** None were heard.
9. **Adjournment.** Having no further business, the meeting adjourned at 8:34 p.m.

Respectfully submitted,



Sherri Marineau
Executive Assistant