



# City of Oregon City

625 Center Street  
Oregon City, OR 97045  
503-657-0891

## Meeting Minutes - Draft

### Planning Commission

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Monday, November 13, 2017

7:00 PM

Commission Chambers

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#### 1. Call to Order

*Vice Chair Espe called the meeting to order at 7:00 PM.*

**Present:** 5 - Paul Espe, Denyse McGriff, Damon Mabee, Tom Geil and Vern Johnson

**Absent:** 2 - Robert Mahoney and Zachary Henkin

**Staffers:** 5 - Laura Terway, Carrie Richter, Pete Walter, Diliانا Vassileva and Kelly Reid

#### 2. Public Comments

*There were no public comments on non-agenda items.*

#### 3. Public Hearings

- 3a. Abernethy Place Hotel and Mixed Use Development - Planning Files  
CP-17-0002, DP-17-0003, and  
NR-17-0004 (Adoption of Findings).

*Carrie Richter, City Attorney, explained the record was closed on this matter. The Commission would be voting on the adoption of the findings for approval of the application. She asked the Commission if they had any ex parte contacts, conflicts of interest, bias, or other statements to declare since the last hearing.*

*Chair McGriff attended a recent McLoughlin Neighborhood Association meeting where Mr. Fowler, Mr. Foley, and Mr. Nicita also attended. The substance of the project was not discussed, but there was a vote that she facilitated, but did not participate in the discussion. Commissioner Mabee was also in attendance at that meeting.*

*Pete Walter, Planner, reviewed the final findings, amended conditions of approval, and typos in the staff report. He clarified staff's opinion was the End of the Oregon Trail Master Plan was never adopted into the Comprehensive Plan as a land use guiding document and was not adopted by ordinance, but by resolution.*

*Commissioner Mabee recommended additional corrections to the findings.*

*After the vote, Chair McGriff left the meeting by ending the conference call.*

**A motion was made by Chair McGriff, seconded by Commissioner Geil, to adopt the findings for approval of the Abernethy Place Hotel and Mixed Use Development - Planning Files CP-17-0002, DP-17-0003, and NR-17-0004 with the amended conditions and corrections to the findings. The motion carried by the following vote:**

**Aye:** 5 - Paul Espe, Denyse McGriff, Damon Mabee, Tom Geil and Vern Johnson

**3b.**

General Development (Master) Plan Amendment and Detailed Development Plan to allow a temporary modular building at 256 Warner Milne Road - Planning Files CP 17-0003 and DP 17-0001

*Vice Chair Espe opened the public hearing. Ms. Richter read the hearing statement. She asked if any Commissioner had ex parte contacts, conflicts of interest, bias, or other statements to declare including a visit to the site.*

*All Commissioners had been by the site.*

*Diliana Vassileva, Planner, presented the staff report. The request was for a master plan amendment and detailed development plan to allow temporary buildings within the Red Soils Master Plan area. She gave a background on the application. She then discussed the proposed project, master plan amendment, and requested adjustments. The adjustments were for the front yard setback, building and entrance orientation, site design, and building design. She also reviewed the approval criteria and mitigations for the adjustments as recommended by staff. Additional landscaping to provide more screening was also recommended as well as a modification to the plywood siding. Staff recommended approval of the application with conditions.*

*Lindsey Nesbitt, Planning Manager for Clackamas County, was representing the applicant. She gave highlights of the services provided by A Safe Place Family Justice Center. The Center was at capacity and had recently received a grant to increase staff. The modular office would only be utilized by staff members, not by the public. She explained the site plan and location of the proposed modular building. She discussed the provisions in the Red Soils Master Plan for modular buildings, conflicts with the code requirements, the requested modifications, and the concerns they had with the conditions. They requested removal of Condition #4 and revisions to Condition #5 and #7.*

*Melissa Erlbaum, Executive Director of A Safe Place, discussed the services at A Safe Place and the funding for the program. The number of people they were serving grew every year and more staff were needed. She explained how the landscaping proposed in the conditions would affect the physical and emotional safety of those coming to the facility.*

*Kimberly Ybarra, Clackamas County Sheriff's Office, extended support for the application on behalf of Sheriff Craig Roberts.*

*Kira Myrick, resident of Oregon City and employee of Clackamas Women Services, spoke in support of the application. She explained how space was limited in the current facility to serve the community and how only non-direct service staff would be in the modular building.*

*Ms. Nesbitt pointed out the number of people who were in the audience in support of the application.*

*Vice Chair Espe closed the public hearing.*

*Commissioner Mabee thought there did not need to be a trash enclosure, but it should be temporary fencing or some type of a barrier. He also thought something else besides a bollard should be used, such as a planter or jersey barrier. The south side*

*of the lot needed landscaping, but not the west side, and all landscaping should be on the outside of the fence.*

*Commissioner Johnson said this was a five year commitment and there should not be a lot of investment in the landscaping. He agreed there was a need for landscaping on the south side.*

*Commissioner Geil agreed with these comments.*

*Vice Chair Espe did not think any structure was needed for the trash due to safety issues and the temporary nature of the modular building.*

*Laura Terway, Community Development Director, clarified the modifications to the conditions and adjustments as discussed by the Commission.*

**A motion was made by Commissioner Mabee, seconded by Commissioner Geil, to approve the General Development (Master) Plan Amendment and Detailed Development Plan to allow a temporary modular building at 256 Warner Milne Road - Planning Files CP 17-0003 and DP 17-0001 as amended. The motion carried by the following vote:**

**Aye:** 4 - Paul Espe, Damon Mabee, Tom Geil and Vern Johnson

**Excused:** 1 - Denyse McGriff

### 3c.

LE 17-02 Legislative Amendment to Adopt the McLoughlin-Canemah Trail Plan, Amending the Transportation System Plan, Trails Master Plan, and Parks Master Plan

*Vice Chair Espe opened the public hearing.*

*Kelly Reid, Planner, provided the staff report. This was an amendment to the Comprehensive Plan to adopt the McLoughlin-Canemah Trail Plan as an ancillary document to the Transportation System Plan, Trails Master Plan, and Parks Master Plan and to amend the project lists for those plans. She acknowledged the public involvement in the McLoughlin-Canemah Trail Plan and reviewed the planning process that had taken place. She discussed the alignment options, interim trail recommendation, treatments within Canemah, and long term trail recommendation. She then explained the review criteria, Transportation System Plan project list, and Trails and Parks Master Plans project list. Public comment was received from ODOT, PGE, and local property owners. She entered items into the record including an environmental report, letter from attorneys for one of the business owners along the alignment, email from Paul Edgar, and a memo Ms. Reid wrote in response to the letter and email. She summarized the issues in the letter and email regarding the trail going through private property and the condition of approval to address them.*

*Discussion ensued regarding improving the access points and the trail route.*

*Danielle Leckband, resident of Oregon City, said the proposed trail was going to go right through her neighbor's house and right in front or behind her home. She was concerned about safety for pedestrians and bicyclists, especially in the Tumwater alley.*

*Steven Liday, land use attorney of Miller Nash, was speaking on behalf of the owners of Bud's Towing. The owners objected to the plan to run the trail directly through their property. He discussed the issues they had with the trail route on Highway 99E, the*

costs to acquire private property for the trail, and how the route violated the project goals and approval criteria. They suggested either amending the route to follow South End Road or to send it back to the staff and advisory group to reconsider the alternatives.

Bill Trumble, resident of Oregon City, was concerned about closing off the entranceway to the VFW Hall as it was their only access.

Shawn Dachtler, resident of Oregon City, expressed concern about how this was written as it was very specific and did not allow for options. He thought this plan should be taken to the Parks and Recreation Advisory Committee and Transportation Advisory Committee for adoption as well.

Paul Edgar, resident of Oregon City, was in favor of coming up with an alternative route and thought this hearing should be continued.

James Nicita, resident of Oregon City, requested a continuance of the hearing. He proposed an alternative route in order to preserve the entrance to the VFW and an alternative route to keep people off of 4th Avenue.

Dr. Michael Secor owned property in this area and expressed frustration that he had not been involved sooner in this process. He was concerned about the proposed route bisecting property and the safety of some intersections.

Doug Neeley, resident of Oregon City, emphasized the importance of the trail and discussed changes he thought should be made to the route.

James Justice, resident of Oregon City, was in favor of a different alignment. In one area there was a water issue with flooding from an overflow pipe.

Commissioner Mabee would like to hear from PRAC and TAC and he would like language that would assure the property owners that there would not be a taking, but there would be a mutual agreement for the trail route.

Vice Chair Espe suggested the stakeholders that were here tonight participate in the PRAC and TAC meetings as well to find the optimal trail location.

**A motion was made by Commissioner Mabee, seconded by Commissioner Geil, to continue LE 17-02 Legislative Amendment to Adopt the McLoughlin-Canemah Trail Plan, Amending the Transportation System Plan, Trails Master Plan, and Parks Master Plan to January 8, 2018. The motion carried by the following vote:**

**Aye:** 4 - Paul Espe, Damon Mabee, Tom Geil and Vern Johnson

**Excused:** 1 - Denyse McGriff

**3d.**

**Request for Continuance to the November 27, 2017 Planning Commission Meeting:** AN- 17-03 Annexation, ZC 17-03 Zone Change, & TP-17-07 Subdivision. The applicant is seeking approval for the Annexation of a 6.33 acre property into and approval for a Zone Change from Clackamas County Future Urban 10-Acre (FU-10) Zone to "R-6" Single-Family Dwelling District and a Subdivision of 28 lots, w/ one Stormwater Facility Tract.

*Vice Chair Espe opened the public hearing.*

*Misha Angel, resident of Oregon City, lived adjacent to this property and did not want to see it developed due to the rural feel of the area.*

*The Commission explained the process for this application.*

**A motion was made by Commissioner Mabee, seconded by Commissioner Geil, to continue the hearing for AN- 17-03 Annexation ZC 17-03 Zone Change/ TP-17-07 Subdivision to November 27, 2017. The motion carried by the following vote:**

**Aye:** 4 - Paul Espe, Damon Mabee, Tom Geil and Vern Johnson

**Excused:** 1 - Denyse McGriff

## **6. Communications**

*Ms. Terway discussed upcoming meetings and actions of the City Commission.*

## **Adjournment**

*Vice Chair Espe adjourned the meeting at 10:15 PM.*