



City of Oregon City

625 Center Street
Oregon City, OR 97045
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Meeting Minutes - Draft

Planning Commission

Monday, May 14, 2018

7:00 PM

Commission Chambers

REVISED

1. Call to Order

Chair McGriff called the meeting to order at 7:00 PM.

Present: 7 - Zachary Henkin, Paul Espe, Denyse McGriff, Damon Mabee, Tom Geil, Robert Mahoney and Vern Johnson

Staffers: 3 - Laura Terway, Carrie Richter and Pete Walter

2. Public Comments

Bob La Salle, resident of Oregon City, requested he be given 15 minutes to present the Park Place Neighborhood Association's testimony in regard to AN 17-0004/ZC 17-0005.

3. Public Hearing

3a. AN 17-0004 / ZC 17-0005: Park Place Annexation and Rezoning of 92 acres (Tentative Decision)

Chair McGriff opened the public hearing.

Carrie Richter, City Attorney, read the hearing statement. She asked if any Commissioner had ex parte contacts, conflicts of interest, bias, or statements to declare including a visit to the site since the last hearing on this matter.

Commissioner Geil recused himself from the hearing. Commissioner Mabee and Chair McGriff had toured the site with Mr. Geil. Commissioners Mahoney and Henkin visited the site.

William Gifford, resident of Oregon City, questioned the propriety of a Planning Commissioner who had recused himself from the hearing taking the opportunity to attempt to influence two Planning Commissioners who had not recused themselves.

Chair McGriff did not think this would influence her decision on this application. Commissioner Mabee saw Mr. Geil as a concerned citizen in this instance, not as a Planning Commissioner. It was a way to access and view the property easily.

Rick Givens, representing the applicants, thought it was an awkward situation when Planning Commissioners met with someone who was opposed to the project outside of the public hearing format. He asked if Mr. Geil offered opinions about the pinch point.

Chair McGriff had not discussed the pinch point. Commissioner Mabee said the only comment about the pinch point was about how narrow it was.

Pete Walter, Planner, presented the staff report. He reviewed the 92 acre annexation and zone change proposal, evaluation of the potential island, applicable criteria, staff findings, and conditions of approval. The hearing had been continued to tonight to allow for further analysis on the Redland Road and Anchor Way intersection. The applicant would contribute a proportional share to improve that intersection at the time of development. He then explained the land use process for this application.

John Replinger, Transportation Engineer, explained the additional transportation analysis that was done and the recommended conditions of approval.

Mr. Walter summarized the public comments that had been received since the agenda was published.

There was consensus to allow Mr. La Salle to speak for 10 minutes as the Park Place Neighborhood Association representative.

Garrett Stephenson, representing the applicants, objected to the Planning Commission giving the Neighborhood Association additional time and asked that they be given a commensurate amount of time added onto the rebuttal as they had the burden of proof.

Rick Givens, representing the applicants, clarified no development was being proposed at this time and a lot of steps had to occur first. There was ample evidence that all of the criteria had been met. The additional transportation analysis had been provided and was complete. Regarding the island issue, they had tried to get the property owners to join with this application. All City services would be available to the property and it would not affect the properties that were not annexing. He asked that the Commission close the record tonight and make a final decision in June.

The Commission asked clarifying questions about the application.

Commissioner Espe arrived at 8:10 PM. He had nothing to declare since the last hearing on this matter.

Tom Geil, resident of Oregon City, discussed how this application did not meet the standard for livability. Annexation of this property had been defeated several times by the voters and none of the Park Place residents that had testified were in favor. He thought the hearing should be continued until they heard from Dr. Scott Burns regarding landslides.

Barbara Renkin, resident of Oregon City, spoke regarding issues in the School District that would be exacerbated by the new development. She requested that approval of the application be delayed until adequate access to the neighborhood was provided.

Ray Renkin, resident of Oregon City, was asked to present comments from Jan Grady, however they were already in the record. He asked if the Transportation System Plan took into account the R-10 that was in the Concept Plan.

Lisa Novack, resident of Oregon City, discussed the impacts of this annexation on road safety, specifically on Holcomb Boulevard. She asked why the 2004 Holcomb Boulevard Pedestrian Enhancement Plan had not been implemented. She requested

that this annexation not be approved until the Holly Lane extension could be fully implemented.

Mr. Walter clarified that the expectation in the Holcomb Boulevard Pedestrian Enhancement Plan was that developers would be responsible for making some of the improvements. More information about this would be added to the record.

Bob La Salle, resident of Oregon City, was representing the Park Place Neighborhood Association. He discussed what the code required the Commission to consider. He explained how the proposed annexation would impact Holcomb Boulevard and Redland Road, the need for completion of the Holly Lane extension, the impact to the safety of the community, degradation of the transportation and education systems, and the cost of new infrastructure that would be born by the City. Due to the magnitude of the proposal and to ensure all pertinent testimony was presented, he requested the hearing be continued and the record be kept open. He submitted his testimony into the record.

Greg Stone, resident of Oregon City, discussed the safety issues with this application. The citizens had voted it down several times and he thought it should go to the voters again.

David Goldberg, resident of Oregon City, spoke about the increased traffic as a result of this project. The legislature passed new laws regarding ADUs and that impact had yet to be considered in this annexation.

Kent Zeigler was speaking on behalf of the Oregon City Business Alliance. He read a letter of support from his Board of Directors. He discussed his participation in trying to develop a secondary access from Holcomb to Redland without crossing canyons.

William Gifford, resident of Oregon City, stated this was not the exact application that had been voted on before. The School District was not opposed to this application and was prepared to accommodate growth. The traffic in this area was already difficult, but the improvements needed to be paid for by development.

Mark Datria lived on Redland Road. He explained how southern California required developers to pay for all of the infrastructure needed for a new development. He encouraged the Commission to require the same for this development.

George Thomas, resident of Oregon City, thought it was time for this property to be annexed. The increased traffic would not happen all at one time.

Steve VanHaverbeke, resident of Oregon City, thought this development was good for the community in spite of the drawbacks that had been mentioned in the public testimony. He was in favor of the connection between Holcomb and Redland. He raised the concern about building infrastructure outside of the City limits.

Randy Poindexter lived on Trail View Drive. He discussed the dangers on Holcomb and how they would be increased with more development. Another problem was the bottleneck at the Abernethy/Redland/Holcomb intersection.

Toni Webber lived on Holly Lane. She addressed #7 of the annexation factors and explained how the annexation would affect her retirement and livability with cutting her property into two pieces.

Commissioner Mabee clarified her property was not in the Urban Growth Boundary and

nothing would happen on her property for many years.

Cara-Mia Hemeon lived on Swan Avenue and all of the plans she had seen so far showed Swan punching through which would directly affect her.

Mr. Walter clarified the Swan Avenue extension was not part of this annexation.

Christine Kosinski, resident of Clackamas County, requested the record be kept open in order to include Scott Burn's comments into the record. She discussed landslides on Holly Lane and how the road would not be able to handle the heavy traffic proposed. She wanted Holly Lane taken out of the Transportation System Plan and for the Commission to deny the application.

Sandra Ortega lived on Redland Road. She discussed the frequency of car accidents in this area as well as traffic congestion. She was concerned about the traffic and the safety of children and animals.

Mr. Stephenson presented rebuttal. He discussed the applicable criteria and change in state law regarding annexations. This was the first step in implementing the Concept Plan and there would be no development until several other requirements were completed. The application satisfied all of the criteria. The zone change was what the Comprehensive Plan called for. He assured the Commission that the applicants would pay their fair share of the improvements needed in this area. He objected to any further continuance of the hearing.

Mr. Givens thought all of the concerns that were raised would be addressed in the Master Plan process. The traffic study was developed with the guidance of the City, County, and ODOT. He requested approval of the application.

There was discussion regarding whether or not to continue the hearing to include the comments that might be made by Dr. Burns.

Ms. Terway stated Dr. Burns was planning to come on June 11 to a Work Session, but it had nothing to do with this application. Mr. Walter confirmed the landslide map was included in the record.

Chair McGriff closed the public hearing.

The Commission deliberated on whether or not to continue the hearing.

Commissioners Mahoney, Johnson, Henkin, Mabee, and Chair McGriff were not in favor of a continuance of the hearing. Commissioner Espe was in support of a continuance to receive more information about the zone change as he was not convinced that it met the criteria.

There was discussion regarding the Holcomb Boulevard Pedestrian Enhancement Plan.

Chair McGriff suggested adding a condition to reference this plan back to the Transportation System Plan.

Mr. Walter explained that the zoning proposed was consistent with the Park Place Concept Plan and Comprehensive Plan.

Mr. Replinger stated taking the ADUs into account in the transportation analysis did not make a difference for this stage as there was a condition for a trip cap for the total property.

Chair McGriff closed the record.

Commissioner Mabee suggested a condition that Holly Lane would be completed from Livesay to Holcomb before the stub roads were opened in the Trail View subdivision.

Commissioner Espe did not support conditional zone changes or trip caps.

A motion was made by Commissioner Henkin, seconded by Commissioner Mabee, to tentatively approve AN 17-0004 / ZC 17-0005: Park Place Annexation and Rezoning of 92 acres and to direct staff to bring back findings and the two suggested conditions for a final decision on June 11, 2018. The motion passed by the following vote:

Aye: 5 - Zachary Henkin, Denyse McGriff, Damon Mabee, Robert Mahoney and Vern Johnson

Nay: 1 - Paul Espe

Recused: 1 - Tom Geil

- 3b.** Remand of Land Use Board of Appeals Court Decision for Planning Files PZ 15-01: Comprehensive Plan Amendment and ZC 15-03: Zone Change Located near Beaver Creek Road and Highway 213 (Tentative Decision)

A motion was made by Commissioner Henkin, seconded by Commissioner McGriff, to continue the hearing for the remand of Land Use Board of Appeals court decision for Planning Files PZ 15-01: Comprehensive Plan Amendment and ZC 15-03: Zone Change located near Beaver Creek Road and Highway 213 to June 11, 2018. The motion carried by the following vote:

Aye: 6 - Zachary Henkin, Paul Espe, Denyse McGriff, Damon Mabee, Robert Mahoney and Vern Johnson

Excused: 1 - Tom Geil

4. Approval of Planning Commission Minutes

- 4a.** Approval of Planning Commission Minutes for April 10, May 8, May 22, June 12, July 24, August 14, September 11, and September 25, 2017.

A motion was made by Commissioner Mabee, seconded by Commissioner McGriff, to approve the Planning Commission minutes for April 10, May 8, May 22, June 12, July 24, August 14, and September 11, 2017. The motion carried by the following vote:

Aye: 6 - Zachary Henkin, Paul Espe, Denyse McGriff, Damon Mabee, Robert Mahoney and Vern Johnson

Excused: 1 - Tom Geil

5. Communications

Ms. Terway announced the Community Development Department had moved to their new offices. There was an Equitable Housing Workshop tomorrow.

Chair McGriff announced the library had new signs.

6. Adjournment

Chair McGriff adjourned the meeting at 10:15 PM.