



City of Oregon City

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

Meeting Minutes - Final

Planning Commission

Monday, October 24, 2016

7:00 PM

Commission Chambers

1. Call to Order

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

Present: 6 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Denyse McGriff and Damon Mabee

Absent: 1 - Paul Espe

Staffers: 2 - Pete Walter and Carrie Richter

2. Public Hearing

2a. AN-16-0003: Annexation of Oregon City Golf Course

Chair Kidwell opened the public hearing and read the quasi-judicial hearing statement. He asked if any Commissioner had conflicts of interest, ex parte contacts, or visits to the site to declare.

Commissioner Mahoney had been to the golf course many times. Commissioner Henkin visited the site often. Commissioner Geil drove by the site. Commissioner McGriff was familiar with the site. Commissioner Mabee played on the golf course several times and was a friend of the property owners. He was on the City Commission the last time he reviewed the application. Chair Kidwell used the golf course often as well.

Pete Walter, Planner, presented the staff report. There were additional items to submit into the record which included the applicant's memo with findings for SB 1573 and proposed condition of approval, the applicant's comments on the staff report, and the comments of Planning Commissioner Paul Espe. Staff was requesting a continuance of the hearing to November 14 as the public notice sign was not posted on the property per Code prior to the hearing. Mr. Walter showed maps and aerial photos of the site. The annexation proposal included the Oregon City Golf Course, club house, two existing homes, and Beavercreek Road right-of-way. The applicant was requesting annexation only without a zone change. The property was four tax lots totaling 117 acres and was contiguous to the City and did not create any County islands. He discussed the approval criteria which included adequacy of access to the site, conformity to the Comprehensive Plan, adequacy and availability of public facilities and services to service potential development, compliance with applicable sections of the Oregon Revised Statutes and Metro Code, natural hazards identified, and no significant adverse effects at the time of annexation. The applicant was proposing a condition of approval which stated the annexation would not be filed with the Secretary of State until the Beavercreek Road Concept Plan was acknowledged. Staff agreed with the applicant's comments on the staff report and would make the necessary revisions. Commissioner Espe had requested additional detail on the transportation facilities, sanitary sewer facilities, how the applicant would follow the

Beavercreek Road Concept Plan, status of the City's agreement with the County regarding jurisdiction of Beavercreek Road, water availability, future urbanization of the area, the burden on fire, police, and emergency services, amount of neighborhood contact, school capacity, and how the application met the criteria. He explained the Comprehensive Plan designations, zoning designations, and Beavercreek Road Concept Plan designations for the site and surrounding lots. He then discussed the Transportation Planning Rule issues and what needed to occur before zone changes and development could be approved in this area.

There was discussion regarding transportation improvements that would need to be done through future development and System Development Charges.

Carrie Richter, City Attorney, said no development could occur on this property at the urban levels identified in the Beavercreek Road Concept Plan until a zone change occurred. This was only bringing the land into the City. In order to develop it, it would need a zone change. This was one step in a multi-step process and they had to find the balance of how much detail they wanted in terms of utility demand as they moved through the process.

Mr. Walter said the Commission had to find that there was a positive balance of factors. Staff had 15 finding and 4 conditions for this application that they thought formed a positive balance of factors.

Randy Meyers, applicant, agreed with staff's findings and report. He also concurred with continuing this hearing to November at which time he would give a more comprehensive testimony.

Christine Kosinski, resident of unincorporated Clackamas County, requested the hearing be continued and left open for further testimony. The property owners on Holly Lane, Maple Lane, and Thayer Road should have received notice of this hearing as they sat within 300 feet of the area. The Beavercreek Road Concept Plan could not be developed without first developing all three of those streets. The following annexation factors should be considered: adequacy of access to the site, adequacy and availability of public facilities and services for potential development, adequate public information and sufficient time for public review, and maximizing city involvement in the annexation review process. She discussed how landslide insurance was expensive and how a person who lived near a landslide area could not get coverage. Damage to a home from a landslide was catastrophic as there was more than just the home to repair. Law suits regarding landslides were not being won.

Jason Pompel, resident of Oregon City, said he lived near the site. He thought this should go to a vote. There would be a large impact from this development and there needed to be a plan in place to mitigate those impacts.

Commissioner McGriff was not comfortable with the lack of adequate public facilities, the need to do the alternate mobility study, and the Beavercreek Road Concept Plan not being acknowledged. She did not think it was the right time for this annexation.

Commissioner Geil thought the infrastructure improvements should be done first before the annexation.

Commissioner Mahoney said this was an annexation application. The problem was lack of funding for the extension of services, but developers should not be penalized for that.

Commissioner Henkin said they should focus on the annexation, not development. He wanted to reserve his comments for the next hearing.

Commissioner Mabee said this was an annexation request. It was the first step in the process.

A motion was made by Commissioner Geil, seconded by Commissioner Henkin, to continue AN-16-0003: annexation of Oregon City Golf Course to November 14, 2016. The motion carried by the following vote:

Aye: 6 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Denyse McGriff and Damon Mabee

3. Communications

Mr. Walter said the new Assistant Planner would begin on October 31.

Ms. Richter said all of the briefing had been done for the Beavercreek Road Concept Plan. Oral arguments occurred two weeks ago and the decision was due November 7, but LUBA could ask for an extension. LUBA's decision could be appealed to the Oregon Court of Appeals.

4. Adjournment

Chair Kidwell adjourned the meeting at 8:20 PM.