



City of Oregon City

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

Meeting Minutes - Final

Planning Commission

Monday, April 9, 2018

7:00 PM

Commission Chambers

1. Call to Order

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

Present: 6 - Paul Espe, Denyse McGriff, Damon Mabee, Tom Geil, Robert Mahoney and Vern Johnson

Absent: 1 - Zachary Henkin

Staffers: 4 - Laura Terway, William Kabeiseman, Pete Walter and Christina Robertson-Gardiner

2. Public Comments

Paul Edgar, resident of Oregon City, requested the Commission look into the definition of historic district and historic property.

3. Public Hearing

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

Chair McGriff opened the public hearing and read the hearing statement. She asked if any Commissioner had ex parte contacts, conflicts of interest, bias, or any other statements to declare including a visit to the site since the last hearing on this matter.

Commissioners Mahoney, Espe, Mabee, and McGriff had visited the site. Commissioner Geil recused himself from the hearing. Chair McGriff had told people at Fred Meyer that the hearing would be continued.

Pete Walter, Planner, presented the staff report. He reviewed the background of the request to annex and rezone 92 acres in the Park Place Concept Plan area as well as the approval criteria and conditions of approval. He also discussed the island annexation analysis and the issues that were raised at the February 12 meeting that were addressed in the staff memorandum.

John Replinger, Traffic Engineer, summarized the Transportation Impact Study Addendum and how the analysis showed the need to re-assess the 2035 capacity analysis and to require a trip cap. The applicants would also participate in the funding for improvements. He thought the application complied with the Transportation Planning Rule.

Mr. Walter requested a continuance of the hearing to allow time to review the additional transportation analysis prepared by the applicant.

The Commission asked clarifying questions about the application.

Michael Robinson, representing the applicants, agreed with the staff reports, Mr. Replinger's letter, and the conditions of approval. He reviewed the planning steps before and after the annexation and zone change. This was not a proposal for development. He then discussed how the application met the applicable criteria and Transportation Planning Rule. He addressed the issues that had been raised through public comments.

Kent Zeigler, representing the Oregon City Business Alliance, thought this project should be approved from a public safety standpoint and discussed how it was important to have a secondary emergency vehicle access in this area.

Mike Erickson owned property in this area and looked forward to its future development. He requested approval of the application.

George Thomas, resident on Livesay Road, spoke about his experiences with flooding on Livesay and the other dangers of living on the road including not meeting the fire code. He suggested the City annex in Livesay Road through an emergency annexation.

Christine Kosinski, resident of Clackamas County, expressed concerns about landslides in this area and the need for a geologic study before approval of the annexation.

Paul Edgar, resident of Oregon City, discussed how the trip generation in this area was increasing. The infrastructure needed to be in place first before the development began.

Fred and Wendy Blanchard, residents of Oregon City, were concerned about the impact to existing homes and asked whether their home was going to be taken by the City to build the roundabout. Mr. Walter explained the property was not part of this annexation proposal and if the City acquired the land, it would have to pay fair market value for that land and that would be negotiated well in advance of any improvement.

Troy Levoie, resident of Oregon City, was concerned about the increased traffic with all of the new developments in this area, especially at the intersection of Highway 213 and Redland.

Ryan Richards, resident of Oregon City, was a member of the Park Place Neighborhood Association. He read a letter from Steve Vanhaverbeke who also was a member of the Association. Mr. Vanhaverbeke was concerned about the storm, water, and sewer lines being built outside of the boundaries of the City and who would be paying for the extension of these lines.

Lisa Novak, resident of Oregon City, lived in the Park Place neighborhood. She discussed the impacts of the annexation to road and pedestrian safety, specifically on Holcomb Boulevard. Holcomb required traffic calming measures and this annexation would increase the traffic volume, intensifying the current dangers on Holcomb. She entered the 2004 Holcomb Boulevard Pedestrian Enhancement Plan into the record.

Jackie Hammond-Williams, resident of Oregon City, lived in the Park Place neighborhood. She referred to the Municipal Code regarding the impact of the annexation, which would increase the trips on Holcomb. There had already been a lot of development in this area and more was being planned. The cumulative effect of all

the developments had not been taken into account. She thought a north-south connection from Holcomb to Redland was critical for this area. She also thought the Holly Lane extension was needed before development occurred.

Jim Webber, resident of Oregon City, was not in favor of the congestion and thought there needed to be better planning for future growth. A road was planned to go through his property, but it would go through the historical railroad track and would cut off the access to the other portion of his property as well as Metro's access. He suggested moving the road over to the left.

Toni Webber, resident of Oregon City, would like more clarification on this application and the financial impact it would have as well as the impact on livability. Mr. Walter would add into the record the process for this type of application for the next meeting. The Master Plan process, which was yet to occur, would include the timeframe for the phases of development.

Robert Nelson lived on Holly Lane. He passed out some maps regarding landslides and discussed how most of the area being considered was a moderate landslide possibility.

Bob La Salle, resident of Oregon City, referenced the Municipal Code and explained the factors the Commission must consider for this annexation. As a Park Place Neighborhood Association representative, he requested to be given 15 minutes for public testimony at the next hearing.

Tom Geil, resident of Oregon City, discussed tree cutting, traffic taking short cuts through residential neighborhoods, increased traffic, and lack of fire vehicle access in this area. He suggested the Commission take a field trip to see the pinch point he mentioned at the last meeting.

Mr. Robinson gave rebuttal. This site had been examined by the City and could be developed. It was in the Urban Growth Boundary and had an adopted Concept Plan. The traffic study addressed the legitimate questions that had been raised and had been reviewed by several agencies objectively. They had all come out in favor of the applicants. This was an annexation and zone change, not development. The Master Plan process included public input as well. He asked that the Commission address the approval criteria, which he thought had been met.

Rick Givens, representing the applicants, acknowledged the concerns that had been raised and thought they would be addressed in the Master Plan process.

A motion was made by Commissioner Mabee, seconded by Commissioner Espe, to continue the hearing for AN 17-0004 / ZC 17-0005: Park Place Annexation and Rezoning of 92 acres to May 14, 2018. The motion carried by the following vote:

Aye: 5 - Paul Espe, Denyse McGriff, Damon Mabee, Robert Mahoney and Vern Johnson

Recused: 1 - Tom Geil

3b.

CD 18-01: Code Interpretation to Allow Structured Parking on a Pre-Existing Nonconforming Use for Lithia Subaru of Oregon City.

Chair McGriff opened the public hearing. She asked if any Commissioner had ex parte

contacts, conflicts of interest, bias, or statements to declare including a visit to the site.

Commissioners Geil, Mabee, and Mahoney drove by the site daily. Commissioner Espe owned two Subarus and had used Lithia as a business partner. Chair McGriff was familiar with the site and owned a Subaru.

Christina Robertson-Gardiner, Planner, presented the staff report. This was a request for a Planning Commission code interpretation to allow an additional level of structured parking/car storage on a pre-existing nonconforming use. She reviewed the relevant previous approvals and showed pictures of the subject site and the conceptual drawings. She discussed the applicant's findings and the purpose of the nonconforming code chapter. Car sales was an allowed use for the site originally, but due to a subsequent zone change it was no longer permitted. What was being built would conform to the code.

Chris Koback was representing the property owner, Lithia Subaru, and Eric Iverson was the Director of Real Estate for Lithia. The site had been a car dealership for a long time. There was a need for better safety and circulation on the site. The parking deck was not meant to increase inventory, but would make the inventory and site operate better. They explained how this was not meant to be an expansion or intensification of the use. If approved, they would go through a Type 2 site plan and design review process with public comment.

Bill Kabeiseman, City Attorney, thought it was within the Commission's policy judgment to decide whether or not this was an expansion or intensification and that he could defend either decision.

There was discussion regarding whether or not this would set a precedent and whether or not this was an expansion.

Chair McGriff closed the public hearing.

After deliberation, there was agreement that the intent was not to significantly increase the inventory, it would improve public safety through better site circulation, and the impact would be reduced because it was a street level improvement.

A motion was made by Commissioner Mahoney, seconded by Chair McGriff, to approve CD 18-01: Code Interpretation to allow structured parking on a pre-existing nonconforming use for Lithia Subaru of Oregon City and to direct staff to come back with findings for the Commission to approve. The motion carried by the following vote:

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

4. Approval of the Minutes

4a. Minutes of the Planning Commission: April 10, 2017 and May 8, 2017.

A motion was made by Commissioner Mabee, seconded by Commissioner Espe, to approve the April 10, 2017 Planning Commission meeting minutes. The motion carried by the following vote:

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

A motion was made by Commissioner Mabee, seconded by Commissioner Geil, to approve the May 8, 2017 Planning Commission meeting minutes. The motion carried by the following vote:

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

Abstain: 1 - Robert Mahoney

5. Communications

Chair McGriff discussed a memo from the Planning Commission to the City Commission regarding the mobility standards.

There was discussion regarding an application that was appealed to the City Commission and how the City Commission overturned the Planning Commission's decision. Some of the issues had to do with lot averaging which would be revisited as a part of the Equitable Housing process.

Ms. Terway announced the Community Development Department would be moving next week. ODOT was holding open houses on congestion pricing.

6. Adjournment

Chair McGriff adjourned the meeting at 10:30 PM.