



Legislation Details (With Text)

File #: PC 17-120 **Version:** 1 **Name:** Parker Knoll Subdivision Request for CC Review
Type: Land Use Item **Status:** Public Hearing
File created: 10/5/2017 **In control:** City Commission
On agenda: 10/18/2017 **Final action:**
Title: Parker Knoll Subdivision: TP 17-02. Eleven Lot Subdivision at Leland Road and Reddaway Avenue Including Utilization of an Existing Easement in Wesley Lynn Park
Sponsors: Laura Terway
Indexes:
Code sections:

Attachments: 1. Staff Report, 2. TP 17-02 Staff Report Recommendation, 3. Exhibit 1: Vicinity Map, 4. Exhibit 2: Narriative, 5. Exhibit 2: Site Plans, 6. Exhibit 2: Other, 7. Exhibit 2: Easement Documentation, 8. Exhibit 2: Additional Information Submitted by the Applicant, 9. Exhibit 2: Replaced Application Materials, 10. Exhibit 3: Public Comments, 11. Exhibit 4: Notification to Tribes and Oregon State Historic Preservation Office, 12. Exhibit 5: Comments from John Replinger of Replinger and Associates, 13. Exhibit 6: Annexation Agreement for AN 07-01, 14. Exhibit 7: Information from the August 16, 2017 City Commission Hearing, 15. Exhibit 8. Information from the September 12, 2017 City Commission Work Session, 16. Exhibit 9. Memorandum from Carrie Richter, Deputy City Attorney dated September 5, 2017

Date	Ver.	Action By	Action	Result
10/18/2017	1	City Commission	adopt	Pass

Parker Knoll Subdivision: TP 17-02. Eleven Lot Subdivision at Leland Road and Reddaway Avenue Including Utilization of an Existing Easement in Wesley Lynn Park

RECOMMENDED ACTION (Motion):

Staff recommends the City Commission approve the Parker Knoll Subdivision (Planning file TP 17-02). No recommendation is provided as to how the Charter effects the proposal.

BACKGROUND:

The Oregon City Planning Division received an application from Icon Construction for a subdivision located at 19510 Leland Road, Oregon City, OR 97045 and identified as Clackamas County Map 3-2E-07D, Tax Lots 600, 601, 700, 701, 501, and 401. The proposal includes subdividing the subject site into 11 lots to accommodate single-family residences along an extension of Reddaway Avenue. The applicant proposed to utilize an existing easement to accommodate a portion of the roadway on the Wesley Lynn Park site. Though the easement grants the applicant rights to develop a portion of Wesley Lynn Park, according to the Oregon City Charter, certain development of park property requires approval of Oregon City voters. The easement area has twice been the subject of election proposals that would have allowed locating a roadway, drainage and utilities necessary to support the development on park land. The applicant revised the design to include a public road within a portion of the easement as well as a concrete path, both within and outside of the easement area, which they believe is authorized by the easement and does not require voter approval.

The City Commission called up the subdivision application in order to review the proposal in a

comprehensive manner to consider the Charter issue as part of the subdivision proposal. By calling up the review, the public is invited to participate in a *de novo* decision making process where new evidence may be submitted both in writing and in person before the City Commission.

City Commission Decision Alternatives include:

- A. Approve the application based on a finding that the subdivision criteria are met (as proposed or with conditions) and that the City Charter does not require voter approval.
- B. Approve the application based on a finding that the subdivision criteria are met (as proposed or with conditions) but that the City Charter does require voter approval and therefore, include the following condition:
Prior to recording the plat for the proposed land division, the applicant shall obtain approval by the legal voters of Oregon City for the [change in the legal status of and/or the construction of permanent structures within] Wesley Lynn Park as identified in Section 41 of the Oregon City Charter.
- C. Deny the application based on a finding that the subdivision criteria cannot be met.

Staff will present revised findings based upon direction of the City Commission at a future City Commission hearing.