

**CITY OF OREGON CITY
PLANNING COMMISSION
MEETING MINUTES**

November 24, 2008

1. Call to Order

Chair Powell called the regular session of the City Commission to order at 7:00 p.m. in the City Commission Chambers in City Hall, 320 Warner Milne Road, Oregon City.

Roll Call: Chair Powell and Commissioners Stein, Dunn, Groener, and Lajoie.

Staff Present: Christina Robinson Gardner, Pete Walter, and

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

3. ADOPTION OF PLANNING COMMISSION MINUTES -- None

4. PLANNING COMMISSION HEARING

CU 08-07 and SP 08-15 (Quasi-Judicial Hearing): Applicant: Glenn Bethune. The applicant is seeking Conditional Use and Site Plan and Design Review approval for a new building office/retail building in association with a standalone coffee shop with an ancillary drive thru (zoned "MUC-1" Mixed Use Corridor District)

Lancaster transportation report submitted to David Evans for review.

Comment [P1]: Tape started here.

Ms. Robertson-Gardiner stated the applicant proposed a swale on the east side for stormwater management. Specifications would be submitted during engineering review addressing Buckner Lane stormwater management and erosion control to keep water quality and quantity at pre-development levels.

Chair Powell closed the public testimony portion of the hearing for Planning Commission discussions.

A Commissioner asked that Mr. Replinger address some of the details of the traffic count and how half-street improvements would affect ingress and egress from the side street off Molalla and the issue of a crosswalk.

Commissioner Lajoie asked about the left turn out of the drive thru and sight distance. He opined this mixed-use project demonstrated nicely what needed to happen along Molalla Avenue to engage the street and putting parking in the back. Aside from some of the traffic issues he felt the project was well done and would support it.

Commissioner Stein agreed but would like to take another look at traffic issues.

Commissioner Dunn agreed with Commissioner Lajoie about the project and looking at ways to improve the traffic situation.

Chair Powell asked if there was an issue connecting the swale and 6-inch main although he understood those matters were fleshed out during engineering review. He agreed the project fit the MUC code well and hoped other issues could be resolved.

Commissioner Dunn/Groener m/s to move the application forward to December 8, 2008. Motion passed: Commissioners Stein, Dunn, Groener, and Lajoie and Chair Powell voting 'aye.' [5:0]

L 08-01 (Legislative Hearing): Applicant: City of Oregon City. Amendments to the Oregon City Municipal Code (city-wide)

- Discussion of Proposed Zone Changes
- Measure 49 Processing Ordinance
- Refuse and Recycling Standards for Commercial, Industrial, and Multifamily Developments
- Demolition by Neglect

Mr. Walter provided the staff report and said the code amendments that had been worked on over the past 9 months implemented the Park Place and Beavercreek Road Concept Plans, generally cleaned up the code, identified new zoning, and updated design requirements. Chapter 17.49 would implement the Nature in the Neighborhoods Program and amend the existing water quality overlay zone. He began his discussion with 12.08, public and street trees that would exist outside the development review process and included heritage trees. He suggested a joint work session with the City Commission that included the newly elected members to discuss regulating trees on private property outside of land use processes and additional staffing needs including an urban forester or arborist, natural resources planner, and trained code enforcement personnel. He reviewed revisions to Chapter 12.08 and outlined the clear and objective standards.

Chair Powell commented on minimum street tree caliper in historic areas or major corridors to prevent damage.

Mr. Walter discussed ideas on caliper size related to maintenance in the first couple of years. A larger species could be written into the code for certain streets. Issues were shortage of stock, cost, and range of species. He discussed the feasibility of keeping the standard and allowing the community development director discretion based on reasonable proof it was not practicable.

The Commission agreed the 2-inch standard was desirable with community development director discretion. The group discussed the importance of heritage trees to the community and replacement standards.

Mr. Walter reviewed tree protection through the development review process found in Chapter 17.41. It applied to any new development except for a new single-family residence. It provided developers with three options for tree protection: retention and mitigation, dedication of a tract generally in a subdivision, or restrictive covenant. Habitat could be protected under 17.41.075, alternative mitigation plan, following the Nature in the Neighborhoods overlay zone found in 17.49.190. He noted there was an exception for tree farms. He reviewed the Nature in the Neighborhoods Overlay also known as Natural Resource Overlay District which intended to protect one contiguous system habitat adjacent to streams. It used existing vegetative streams currently protected in Oregon City under Title 3. A detailed map was prepared using water features and slope data. He discussed clarified review standards. He noted separate standards for utility lines and pervious trails and briefly discussed Metro's process. Oregon City was regulating significantly more habitat than it considered contiguous and adjacent to streams than Metro's habitat map. All water resource files, a majority of

which were exemption areas, approved since 2002 were mapped. He briefly reviewed the exemption and variance process. Upland habitat was mapped but was not intended to be regulated. It was subject to best management practices including rain gardens, pervious surfaces, and use of certain building materials. With the tree protection ordinance for development review and public and street tree standards staff felt Oregon City could substantially comply with Title 13.

One Commissioner understood there were creeks in the Canemah area which had not been mapped. Mr. Walters replied there was one section regarding wetlands that would be addressed following adoption and added to the map following a delineation process. Any wetland on a site meeting the criteria as part of a development review automatically became part of the criteria of any land use action review although it may not be part of an official map.

Ms. Robertson-Gardiner discussed the water resource overlay zone staff review that identified the buffer, and developers worked with the Division of State Lands on the wetlands. There were numerous springs in Canemah that would have to be identified as part of a site visit and site specific inventory which was not part of this process.

Mr. Walter commented on migration corridors which were considered bridges, or upland habitat, between habitat corridors and were not regulated or looked at in further detail. He commented on the Park Place Plan and connections in the area. Backyard habitat can only be encouraged of developers but not mandated.

Comment [P2]: tape change

Ms. Robertson-Gardiner added Metro was looking at a balance of Title 11, urbanization and Title 13, Nature in the Neighborhoods. Inside the new concept plan areas or inside the urban growth boundary Title 11 would win out over upland habitat in most situations. It was difficult on a design level to require a corridor such as that, so the habitat corridor was the most effective. She continued with the site plan design sections and discussed the need for clear and objective standards. The solid waste section was still under discussion with the City Attorney and may be moved into Title 8. The group discussed approximate lot sizes and minimum standards. Staff noted the design standards would be the same citywide including the recently adopted concept plans although Beaver Creek may adopt some different zones.

Ms. Robertson-Gardiner understood the goal was to have the Planning Commission make its formal recommendation to the City Commission on December 8 with an introductory letter outlining the big point issues. The group discussed the format in which the material would be presented to the City Commission.

Chair Powell understood staff would put together a punch list for Planning Commission review via email.

Ms. Butler address a possible rezone in the High School area from Campus Industrial to Institutional on property the City acquired for a park. Another property was purchased by public works which was being master planned. Oregon City may need to amend Metro Title 4 related to employment lands as property will be rezoned to a park. The group discussed sign code revisions that would be done separately from Chapters 16 and 17. Staff suggested this be brought up to the City Commission. Issues generally had to do with height and sizes and materials and compatibility.

Commissioner Lajoie /Dunn m/s to move the application forward to December 8, 2008. Motion passed: Commissioners Stein, Dunn, Groener, and Lajoie and Chair Powell voting 'aye.' [5:0]

The group reviewed the Planning Commission meeting schedule.

5. ADJOURN

Chair Powell adjourned the meeting at p.m.

Respectfully submitted,
