City of Oregon City

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

Planning Commission

Monday, October 9, 2017 | **7:00 PM** | **Commission Chambers**

1. Call to Order

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

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

Absent: 1 - Zachary Henkin

Staffers: 3 - Laura Terway, Carrie Richter and Christina Robertson-Gardiner

2. Public Comments

There were no public comments on non-agenda items.

3. Public Hearing

3a Subdivision: TP 17-03 & Zone Change: ZC 17-02 for a Zone Change from “R-10” Single-Family Dwelling District to “R-8” Single-Family Dwelling District and a Subdivision of 77 lots, w/ One Stormwater Facility Tract and one Open Space Tract near White Lane (Wheeler Farm).

Chair McGriff reopened the public hearing and asked if the Commission had any conflicts of interest, ex parte contacts, bias, or any other statements to declare since the last hearing.

Commissioner Mabee and Chair McGriff visited the site again. Commissioner Espe had been by the site.

Christina Robertson-Gardiner, Planner, reviewed the staff report that was presented at the last Commission meeting and revised Condition #19. This was a request for a zone change from R-10 to R-8 for a 77 lot subdivision. She had looked at the lot widths and found Lot 4 was below the 60 foot minimum width. She recommended adding Condition #31 to address the lot width issue. She described the subject site and subdivision layout as well as the public comments that had been received and the criteria for the zone change. She discussed the staff memo that provided some background to the public comments, particularly regarding ex parte contact and staff's involvement.

Carrie Richter, City Attorney, explained the issues that had been raised regarding the lot density calculations and lot averaging. She clarified the zone change request was discretionary and required balancing the Comprehensive Plan policies. Staff had done an anlaysis of the housing in the City showing the need for more R-8. There was no evidence that it would reduce the livability of the area. Regardless of the zoning, the lot

averaging concept would remain because it was a clear and objective standard.

There was discussion regarding how lot averaging worked and the discretion allowed for the zone change.

Chris Goodell, AKS Engineering, addressed the concerns that had been raised in the public comments.

Monty Hurley, AKS Engineering, compared the density of R-10 and R-8, which in this case would be a difference of three more lots. He gave reasons for the zone change and discussed the connectivity and circulation for the site.

Mr. Goodell reviewed the approval criteria for the zone change. This project was consistent with the Comprehensive Plan, public facilities and services were available, and the traffic study showed the streets could accommodate the traffic.

Don Wheeler, applicant, discussed how the highest and best use of this site was for housing. The zone change was for R-8, single family homes, and met the criteria in the code. The proposed open space demonstrated the applicant's willingness to receive less income from the sale of the property.

Brenda Wheeler, Oregon City resident, expressed her concerns about getting into and out of the neighborhood which was already problematic during the peak hours. She was also concerned about people not being able to park in front of their homes and that the open space would only be used by those in the HOA.

Terry Boyd, Oregon City resident, lived adjacent to the project. He was concerned that 83% of the lots did not fall in the R-8 minimum of 8,000 square feet.

Lori Boyd, Oregon City resident, stated there was no public transportation in this area, the schools were over capacity, and the transportation was already failing and would not be rectified until 2035.

Richard Durr, Oregon City resident, thought the street would be too narrow to have two cars passing each other and parking on both sides of the street. Most intersections were failing at peak times and that should be taken into account. He thought it should be a condition to have the park maintained by a HOA.

Leo Marsh, Oregon City resident, shared his concerns about the size of the lots. He thought the zoning should remain at R-10.

Howard Burge, Oregon City resident, did not think small lots should be built near the edge of the Urban Growth Boundary. He suggested making the lots larger that were adjacent to the existing neighborhood.

Bob Kelly, Oregon City resident, discussed the issues of on street parking with the smaller lots, property values, lot averaging, and traffic. He wanted the zoning to stay at R-10.

Mike Mitchell, Oregon City resident, spoke regarding the difference in lot sizes of 8,000 and 6,000 square feet and how this would feel like an R-6 subdivision. He thought the park space could become a nuisance to the neighborhood and was not in favor of giving the applicant SDC credits for it.

Brian ??, Oregon City resident, discussed the zoning in the area and how he was not in favor of the lot averaging and traffic caused by this subdivision.

West Rictor, Oregon City resident, explained how the Wheeler family had not been welcoming when she had built her home adjacent to this property. She discussed what she had told her neighbors about this development. She would like the zoning to remain at R-10, which would be compatible with her neighborhood, and questioned the credibility of the lot averaging. She was also concerned about the increase in traffic.

Alice Hayden, Oregon City resident, discussed her concern that these were not R-8 size lots. She thought it should remain R-10 and that the lot averaging in the code should be changed.

Andrew Rictor, Oregon City resident, discussed the ethics of the zone change and how the Commission should hold the applicant to the R-10.

Todd Mobley, Lancaster Engineering, provided rebuttal. He clarified the Traffic Impact Study and stated the performance standards were satisfied, recognizing congestion was acceptable. Transportation SDCs would help fund the needed improvements in this area.

Mr. Hurley discussed the substantial amount of parking for this project, how the lot averaging met the code, how the R-8 fit the area, clarified the R-8 setbacks, discussed the maintenance of the open space, and thought the Wheeler family had welcomed the other developments in the area.

Mr. Goodell said the findings demonstrated the criteria in the code had been met for this application.

There was discussion regarding the setbacks, block lengths, and adequate parking.

Commissioner Espe thought there should be a pedestrian connection.

Chair McGriff closed the public hearing.

The Commission deliberated on whether or not the application met the code.

Commissioners Mahoney and Johnson were in support of the application.

Commissioner Espe did not think it met the criteria as there were not adequate public facilities to serve the site.

Commissioner Geil could not support the application due to the lot sizes.

Commissioner Mabee had concerns about the increased pressure on the intersections and the connectivity and livability of the surrounding neighborhoods.

Chair McGriff concurred that there were not adequate public facilities to serve the site and had concerns about livability.

Ms. Richter explained there was not enough time to bring the findings for denial back to the Planning Commission as it needed to be on the next City Commission agenda. She asked for permission for Chair McGriff to approve them.

Since Chair McGriff would be out of town, Vice Chair Espe would approve the findings. A copy of the findings would be sent to the Planning Commission.

Commissioner Mahoney thought this was a good example of how the Comprehensive Plan needed to be updated.

A motion was made by Commissioner Espe, seconded by Commissioner Geil, to recommend denial of Subdivision: TP 17-03 & Zone Change: ZC 17-02, to direct staff to draft findings consistent with the denial, and to allow Planning Commission Vice Chair Espe to approve the findings. The motion passed by the following vote:

Aye: 4 - Paul Espe, Denyse McGriff, Damon Mabee and Tom Geil

Nay: 2 - Robert Mahoney and Vern Johnson

3b PZ 17-01: Comprehensive Plan Amendment, ZC-17-04: Zone Change, SP 17-114: Minor Site Plan and Design Review to allow for Oregon City Community Development offices to relocate to an annex building at the former Mt. Pleasant School at 1232 Linn Avenue. The annex is located at 698 Warner Parrott Road at the intersection of Linn Avenue and Warner Parrot Road.

Chair McGriff opened the public hearing. 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.

Commissioners Espe, Johnson, and Mahoney went by the site and Commissioner Mabee and Chair McGriff visited the site.

Ms. Robertson-Gardiner reviewed the staff report that was presented at the last Commission meeting. This was a request for a Comprehensive Plan amendment from medium density residential to quasi-public, zone change from R-10 and R-3.5 to Institutional, and minor site plan and design review for the Mt. Pleasant annex building.

John Replinger, Transportation Engineer, explained the trip cap that had been placed on the zone change and how it helped the application meet the code criteria.

The Commission asked questions regarding the trip cap.

Ms. Robertson-Gardiner finished the staff report by discussing parking, landscaping, and zone change criteria.

Laura Terway, Community Development Director, was the applicant. She answered the Commission's questions related to the project. The purpose of this application was to relocate the Community Development Department to the annex.

Matthew Crawford, architectural and engineering technician with ZCS, was the designer for the project. He discussed how the building integrity and seismic system had been analyzed and reinforced in the plan.

Chair McGriff recommended a different color other than gray for the exterior.

Chair McGriff closed the public hearing.

A motion was made by Commissioner Mabee, seconded by Commissioner Geil, to approve PZ 17-01: Comprehensive Plan Amendment, ZC-17-04: Zone Change, SP 17-114: Minor Site Plan and Design Review. The motion carried by the following vote:

Aye: 5 - Robert Mahoney, Paul Espe, Damon Mabee, Tom Geil and Vern Johnson

Abstain: 1 - Denyse McGriff

3c. Request for Continuance: Planning Files CP 17-0003: General Development (Concept Master) Plan Amendment, and DP 17-0001: Detailed Development Plan for A Safe Place modular building

A motion was made by Commissioner Espe, seconded by Commissioner Geil, to continue Planning Files CP 17-0003: General Development (Concept Master) Plan Amendment, and DP 17-0001: Detailed Development Plan for A Safe Place modular building to November 13, 2017. The motion carried by the following vote:

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

4. Communications

There were no communications.

5. Adjournment

Chair McGriff adjourned the meeting at 10:30 PM.