City of Oregon City

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Meeting Minutes - Final-revised
Planning Commission

Monday, September 22, 2014 | **7:00 PM** | **Commission Chambers**

Revised

1. Call to Order

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

Present: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Charles Kidwell, Tom Geil and Robert Mahoney

Staffers: 3 - Tony Konkol, Christina Robertson-Gardiner and Pete Walter

2. Public Hearing

2a PC 14-105 Oregon City Sign Code Update (Planning File: L 14-01)

Chair Kidwell opened the public hearing.

Tony Konkol, Community Development Director, said staff recommended continuing the hearing to October 27, 2014.

There was no public testimony.

A motion was made by Commissioner McGriff, seconded by Commissioner Espe, to continue the hearing for the Oregon City Sign Code Update (Planning File: L 14-01) to October 27, 2014. The motion carried by the following vote:

Aye: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Charles Kidwell, Tom Geil and Robert Mahoney

2b PC 14-112 Willamette Falls Legacy Project
Master Plan: CP 14-02, Zone Change and Text Amendment: ZC 14-03, Comprehensive Plan Map Amendment and amendments to ancillary documents of the Comprehensive Plan: PZ 14-01, and creation of a Multi-modal Mixed Use Area (MMA)

Chair Kidwell opened the public hearing and read the hearing statement. He asked if the Commission had any conflicts of interest, ex parte contacts, bias, or statements to declare or a visit to the site since the last hearing.

Commissioner McGriff had an ex parte contact. She had dinner with George Kramer and James Nicita. She and Mr. Kramer are advisors to the National Trust for historic preservation and a portion of the conversation had to do with activities the Trust was involved in regarding the Willamette Falls Locks, designation of the Willamette Falls area as a heritage area, and the WIllamette Falls Legacy Project. The discussion with Mr. Nicita was about tours of the site and articles Mr. Nicita presented to the Planning Commission at the last hearing. Decision making was not discussed.

Commissioner Geil declared that he had discussed the project with some of his HOA members.

Christina Robertson-Gardiner, Planner, discussed the additional written testimony that had been received, which was Exhibit A. The findings and matrix had been revised to reflect the discussion by the Planning Commission at the last two meetings.

Ben Schoenberger, planning consultant, gave a short history of the process of the project. This had not been a typical planning process, as it was the product of a deep and broad public engagement process. Thousands of people had contributed to the process. Through the public input a regulatory approach was created that was a balance between flexibility and certainty for new development on the site and protecting the core values of the public. He thought they should stay open and flexible as all development would have to be approved by the Planning Commission first. Development would happen incrementally over time. He thought the plan protected the City's interests and reduced uncertainty for future development.

Mike Zilis of Walker Macy was thrilled by the consensus and enthusiasm through this process. This plan provided the certainty the community needed about how development would generally work, public access to the water, and revitalization for downtown. It also provided flexibility to the owner to make it work as it was a challenging site.

John Potter, representing the property owner, said the owner supported the plan as submitted and was excited about moving forward. Flexibility was critical as it was a complicated project. The intent was to maintain the character of the site as a brand for the project. They wanted to make it a destination and the history needed to be incorporated where possible. The lending industry needed predictability and flexibility as well. They wanted to retain as many buildings as they could and deliver the vision.

George Heidgerken, owner of the site, supported all of the ideas that came out of this process. It was a special project and he liked all of the public input. He would be a participant in every aspect of the project. He would listen to all the input, take advantage of the funding available for preservation, and would make the project fit the City of Oregon City and be a benefit to the City. He appreciated all of the work that had been done. He wanted to move as quickly as possible, but did not want to make any mistakes along the way. He was looking forward to working with everyone further.

Karin Morey, resident of Oregon City, supported the plan as presented. She did not think every building needed to be saved. She thought the important history of the site was that it was the first American settlement. This site had the potential to return to what it was orignally, a vibrant community with opportunities to work, live, play, and visit. She thought the last three truly historic buildings had aleady been removed in the 1980s. She was pleased the footings of the woolen mill were bing retained. The market would drive what went on the property, but trying to force maintaining any other buildings than what were specifically designated was false history and would prevent the development they deserved.

Jesse Buss, resident of Oregon City, dicussed the natural resource component of the site. Salmon and Steelhead runs on the Willamette River would be imperiled by November 2014 if there were not certain things happening on the ground at the 13 federally licensed dams in the basin. He did not think those would be met and the fish would be over the tipping point and more habitat restoration would need to be

done. He discussed the water flow through the falls and key recommendations for fixing the tail races on the site. He suggested adding to the plan "restoring mill races and tail races."

Elaine Dorset, resident of Milwaukie, was representing the Oregon Archeological Society. The Society supported the zoning change as well as the plan. It would allow the project to move forward, especially in giving the public access to the falls. She had advocated for proactive archeological testing at the site, which would help with the development process rather than leaving everything to inadvertent discovery. The Society was working on providing guidelines for archeological monitoring and a summary of past projects that were well planned and executed. She explained the archeological monitoring process.

Amber Holveck, speaking on behalf of the Oregon City Chamber of Commerce, said the Chamber was supportive of the plan and wanted to see it move beyond this stage and onto the final stage. The plan had to be flexible as one size did not fit all. Key aspects were clearly present in the plan for the four core values. It might not be as thorough as some people wanted, but there was significant financial investment and risk in identifying buildings that would not be disturbed. They had to be flexible to allow the market demand to fit within the parameters in the master plan. Ms. Holveck then provided testimony as a citizen in unincorporated Clackamas County. She was excited about this opportunity. She thought the woolen mill pieces should be retained as it provided a connection to our agricultural roots.

Jackie Hammond-Williams, resident of Oregon City, said she and the Farmer's Market Board were excited about this project. The tours the City staff gave of the site were very good and educational. She clarified that the proposed zoning allowed warehousing when associated with a permitted use, it was also a conditional use, and could be allowed as an interim use on its own. She thought it was an appropriate site for light manufacturing or small scale food processing. Agriculture was in our history and it was important to recognize it on this site. This site was enormously important to the history of Europeans and Native peoples. She challenged the Commission to look at the 13 buildings that potentially could be on the national register of historic places and save a few more, such as the polary building.

Rick Williams, resident of Oregon City, was in support of the plan as presented and also in support of the flexibility. He wanted to include economic development, a Historic Port District, historic use of renewable energy, and connection with the historic land grant and sea grant university. Oregon had a vibrant special districts legislation and they could restore the Historic Port District which would combine the historic landing at Oregon City and the falls. The mill and tail races were used for renewable energy. He encouraged the City to get the water rights as they were currently undesignated. He thought outreach to the university would give them access to the programs, projects, and accomplishments that had been going on for decades.

Mr. Konkol discussed water rights, the mill and tail races, and fish passage. The races were not used for fish passage historically, but for power generation. Whatever they did as far as restoring water through the property, they needed to make sure it did not detract or confuse the fish as they were migrating. They needed to roughen up the edges of the site for places the fish could rest. Clackamas County puchased the water rights from the bankruptcy trustee. The City did sign an agreement with them concerning future use of the property. Regarding preserving the historic structures, it was not just about the age of the building, but also about the quality and investment needed. He thought this was a good plan.

John Potter said they would investigate what was said that night to see if the good ideas could be implemented in the plan.

There was discussion regarding the fact that the mill races did not currently exist on the site.

George Beardoff, former mill worker, said in regard to the water rights, in the past they were purchased with the woolen mill building. The physical woolen mill building itself was a detriment as it was unfit to use for anything other than light storage. He explained how the water came through the site.

Chair Kidwell closed the public hearing.

Commissioner McGriff referred to the Willamette Falls Downtown District policy and design guidelines, and thought some of the guidelines were too sujective. She wanted it to be more balanced.

Ms. Robertson-Gardiner thought they should be more flexible. The future Design Review Committee would also help the Commission with what was appropriate for the site.

There was discussion regarding whether or not the design guidelines needed to be more specific. There was consensus that the guidelines should be flexible and they did not need a more prescriptive path to know whether something was appropriate.

Commissioner McGriff discussed Conditions of Approval 5 and 6, and thought they should add some buildings to be preserved as a secondary list. Regarding Condition 7, she clarified what was included in the Type 1 review for demolition of structures not listed for preservation. There would be no public notice for these decisions. Regarding Condition 13, she clarified the definition of disturbance of native soils. For Condition 30, she was concerned about unintended consequences of the pedestrian bridge project, and clarified that it was not required to happen. There was no trigger to require bringing it back to the Commission for approval.

Commissioner Mabee said regarding Condition 9, where was the list of properties identified as potentially eligible for the national register. Ms. Robertson-Gardiner explained it was in an earlier exhibit, in a letter from SHPO dated September 20, 2012.

Commissioner Geil had been impressed by the public input and appreciated the thoroughness and detail of the work staff did. He was proud to be a part of the planning for this site.

Commissioner McGriff thanked Ms. Robertson-Gardiner for her work. She thought this was a good plan and looked forward to the future and making the site the best it could be.

Commissioner Mahoney thanked staff and the Planning Commission for their work. He looked forward to working with the owner and getting the falls and City's history back.

Commissioner Espe thought this had been a good public involvement process.

Commissioner Henkin thanked everyone who had contributed to this plan. He thought it was a good balance between legacy and flexibility.

Chair Kidwell said this plan was an asset to the City and region as it brought back the City's identity to the falls. He thanked staff and consultants for their work.

Mr. Konkol said this would go before the City Commission on October 15.

A motion was made by Commissioner Geil, seconded by Commissioner Espe, to approve Willamette Falls Legacy Project Master Plan: CP 14-02, Zone Change and Text Amendment: ZC 14-03, Comprehensive Plan Map Amendment and amendments to ancillary documents of the Comprehensive Plan: PZ 14-01, and creation of a Multi-modal Mixed Use Area (MMA) with the revised findings and conditions of approval. The motion carried by the following vote:

Aye: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Charles Kidwell, Tom Geil and Robert Mahoney

3. General Business

3a. PC 14-114 Adoption of Findings for 950 South End Road Assisted Living: CU 14-01 / SP 14-09 / VR 14-01 / LL 14-05

Pete Walter, Planner, said on September 8, the Planning Commission reviewed revised plans for 950 South End Road for an assisted living project and had approved the application. He explained the revised findings and three additional conditions of approval.

Commissioner McGriff encouraged the applicant to contact the Neighborhood Association with the construction schedule.

A motion was made by Commissioner Mabee, seconded by Commissioner Geil, to adopt the findings for 950 South End Road Assisted Living: CU 14-01 / SP 14-09 / VR 14-01 / LL 14-05. The motion carried by the following vote:

Aye: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Charles Kidwell, Tom Geil and Robert Mahoney

4. Communications

Commissioner Mahoney asked about changing the public notification process to include more people.

There was discussion regarding how for City-wide projects the Willamette Falls project was a good model, but for smaller projects there was usually very small response and increasing notification would cost more in time and money.

Tom O'Brien, resident of Oregon City, suugested staff notify the chairs of the neighborhood assoiciations and the chairs could pass on the information to those who would be interested.

Commissioner McGriff requested scheduling a meeting with the School Board.

5. Adjournment

Chair Kidwell adjourned the meeting at 9:24 PM.