

**CITY OF OREGON CITY
PLANNING COMMISSION HEARING**

August 30, 2010, 07:00 P.M.
City Commission Chambers - City Hall

1. CALL TO ORDER

Roll Call:

Chair Tim Powell
Commissioner Dan Lajoie
Commissioner Carter Stein
Commissioner Chris Groener

Staff Present:

Tony Konkol, Senior Planner
Laura Butler, Assistant Planner
Pete Walter, Associate Planner
Bill Kabeiseman, City Attorney

Chair Powell called the meeting to order at 7 p.m.

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

There was no public comment on items not listed on the agenda.

4. PLANNING COMMISSION HEARING

CP 10-02 Concept (General) Development Plan
WR 10-05: Natural Resource Overlay District Exemption

Commission Report

CP 10-02 Staff Report Reduced

Applicant's Narrative

Figure 1 - Easements

Figure 2 - Phasing

Figure 3 - Block Diagram

Figure 4 - Fire Access

Figure 5 - Bicycle and Transit Conditions

Figure 6 - Density Transfer

Figure - 7 Historic Resources Map

Site Plans

HACC Background Information

Letter from ODOT

Parking Demand Calculations

Letter from SHPO

Tribal Review

Public Participation Plan

Public Meeting Record

PPNA Meeting Sign In

Letters of Support

Bill Kabeiseman, City Attorney, read the hearing statement describing the hearing format and correct process for participation. He asked if there were any declarations of ex parte contact, conflict of interest, bias, or statements.

Commissioner Carter Stein said he and his partner were active in the Park Place Neighborhood Association. He had also volunteered hours to put together the Community Garden and participated in the neighborhood meetings with PPNA and participated in the community outreach, design charettes, and neighborhood meetings. He thought he was able to make an objective decision on this application.

Laura Terway, Planner, explained the applicant's concept general development plan which looked at the general impacts of the project. If approved there would be a series of detailed development plan applications. The site was located off Holcomb Boulevard near Apperson, Gain, and Front. The site was split zoned, the northern half was R 3.5, the bottom of the site was MUC 1, and adjacent to the site was R 6, MUC 1, and various zoning. The site was developed with a 1940s housing project called Clackamas Heights. The applicant proposed to demolish all of the existing structures on site and construct up to 283 dwelling units, a community center and other uses as well as reconstruct the street network to provide connectivity for the site and adjacent neighbors. The project would be completed in phases with the first phase beginning next year and full build out likely within five years. The applicant applied for a Natural Resource Overlay District exemption. She discussed the applicant's requested 13 adjustments to the Code and how they would be implemented. ODOT submitted comments identifying errors in the applicant's traffic study. ODOT suggested that SDCs be charged and earmarked to pay for Phase 2 of the Jughandle project. Staff recommended approval of the application with conditions of approval.

Mr. Konkol said the City identified all of the needed improvements on the State highway system and charged 30% of those projected costs and incorporated them into the SDCs.

Ms. Terway submitted Exhibits 1-4 in the record: the 1999 wetland inventory riparian assessment by Shapiro and Associates and comments by Larry Potter, Parks Operations Manager, stating there were no conflicts with the proposal and letter from Nancy Kraushaar, City Engineer and Public Works Director, dated August 30 and letter from Gail Curtis at ODOT dated August 30.

Mr. Konkol said there was an August 20 letter to staff from Mr. Riplinger that discussed a small increase in traffic to 213 and Redland Road intersection. He thought the contribution of SDC funds for Phase 2 of the Jughandle were adequate for the number of trips that would be added during peak hours.

There was discussion regarding how the application would impact the housing inventory for affordable housing, the lack of specificity in the design, and concern about Police Department negativity towards the application.

Terrell Anderson, Executive Director of the Housing Authority of Clackamas County, and Ann Lininger, County Commissioner, and Steve Morrow, co-applicant with the Housing Authority. Mr. Anderson addressed the funding for the project through a grant and mitigation of police issues. Commissioner Lininger said there was a large wait list for this type of housing in Clackamas County. This project would not only help meet the need for affordable housing, but would help triple the density of a wonderful piece of property in a good area, create construction jobs, energy efficient campus that offered many services, and there was great enthusiasm for the project. Mr. Morrow said this would be a benefit to the community, Park Place neighborhood, and commercial development. Mr. Anderson explained how the home ownership component would work and relocation of the current residents and how the area was planned as a social and environmental solution. Mary Bradshaw discussed Eco-Districts and how they dealt with sustainability issues.

Chair Powell was concerned about the increased traffic especially during rush hour. Ms. Terway said the traffic study addressed the traffic impacts and the improvements to mitigate those impacts.

Christopher Stanley of Greenlight Transportation explained the traffic study and the impacts of the project on the system and improvements to be made. The project was consistent with the Holcomb Boulevard Plan. He also explained the criteria for the proposed neighborhood retail and how it would be consistent with the transportation plan.

Tammy Shacher, architect, said the retail space would be a small piece and complimentary for what was in the area.

Commissioner Stein asked about the risks and value of these kinds of projects for the neighborhood. Mr. Anderson said once the grant was received, the other funding would fall into place. The phasing was tied to the funding. Ms. Shacher said when the Housing Authority created the re-development master plan, they looked at the criteria for the competitive grants to put in the development. There was also discussion about the flex space for various providers and maintaining the land that was not currently developed.

Ms. Shacher described the main features of the development.

Lisa Folkins, planner on the project, explained how the design worked around the trees that were on the site. She discussed more of the design of the site.

Linda Israelson of Oregon City was a resident of Clackamas Heights. She thought this would be an improvement to the current residences and would benefit Oregon City.

Nancy Walters of Oregon City was representing the Park Place Neighborhood Association. The Association submitted letters of support for the application and had been highly involved in the process. The Housing Authority was a central part of the neighborhood and had formed a partnership with the Association. This was a unique and collaborative project. This was not a profit driven project and was geared for long term planning. She also discussed existing transportation issues and how the project would help with connectivity.

Ila June Florence lived on Redland Road wanted to know what would happen to the residents while this project was being constructed.

Mr. Anderson said the residents would decide where they wanted to live out of many options. The relocation plan was subject to the Uniform Relocation Act. It would be two and a half to three years for Phase 1.

Chair Powell closed the public hearing.

Commissioner Stein said a lot of effort had been put into figuring out the design and impacts for this project. He liked the plan as it not only addressed the detailed, technical, and planning issues, but dealt with community issues as well.

Commissioner LaJoie was also supportive of the plan especially given the support by the Neighborhood Association.

Commissioner Groener said the plan did not make the residents wait too long to come back and they would have a much better area than what there was currently.

Chair Powell thought it was an exceptional plan and it would enhance the neighborhood. He was most impressed with the process and the citizens made this decision.

Motion by Commissioner Chris Groener, second by Commissioner Carter Stein to to approve CP 10-02 Concept (General) Development Plan and WR 10-05 Natural Resource Overlay District Exemption with conditions.

A roll call was taken and the motion passed with Chair Tim Powell, Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Chris Groener voting aye. [4:0:0]

PZ 10-01: Comprehensive Plan Amendment and ZC 10-01: Zone Change.

Commission Report

ZC 10-01 Final Staff Report

Applicant Land Use Application

Transportation Planning Rule Analysis - TPRA

Replinger and Assoc. Review of TPRA

ODOT comments

Caufield N.A. comments

Annexation Agreement - Police Services

Resolution 09-02 TSDCs

Metro Comments - Title 11

Clack. Comm. College - condition of approval for Meyers Rd extension

Metro Title 1 and 7 findings

Beavercreek Road Concept Plan - Concurrence

Meyers Road / 213 Transportation SDC

other items

Mr. Kabeiseman read the hearing statement describing the hearing format and correct process for participation. He asked if there were any declarations of ex parte contact, conflict of interest, bias, or statements.

Commissioner Stein knew of the site and drove by it.

Commissioner LaJoie knew of the site and participated in the Beavercreek Concept Plan.

Pete Walter, Associate Planner, said the Comprehensive Plan Amendment was a change from Future Urban to Mixed Use Corridor with a Zone Change from County FU-10 to City MUC-1. The address was 19896 Beavercreek Road and the parcel was 9.6 acres in size. He described the site and surrounding area and gave a background on the piece of property. This site had been planned to be a mixed employment village in the Beavercreek Road Concept Plan. The Concept Plan was appealed to LUBA and had been remanded to the City and Metro. The applicant was proposing no development at this time, but was requesting a zone change to MUC-1. He explained the approval criteria and the Transportation Planning Rule for this application. ODOT determined that if the rezoning caused the volume capacity ratio to increase by more than a factor of .01, they would consider that to be a significant impact and would require mitigation. If the Meyers Road extension was not built, there would be two locations where this would exacerbate the existing traffic failures, Highway 213 and Molalla and Highway 213 and Meyers Road. If the Meyers Road extension was built, the only intersection which potentially exceeded the .01 factor was Highway 213 and Meyers Road. If the City could make a written determination that certain improvements which would alleviate the situation were reasonably likely to be constructed by 2027, it would have the support of ODOT. The City was already collecting SDC charges for Highway 213 improvements and the Meyers Road extension. There were also plans for an additional north-south lane on 213. With the anticipated improvements, the addition of a west bound right turn lane at Highway 213 and Meyers Road at the time of development which would bring the volume capacity ratio to a reasonable range. He reviewed the conditions of approval and discussed the difficulties the Beavercreek Concept Plan remand posed on this property.

Mr. Konkol said the City was in the process of having the Concept Plan that was approved by the Commission comply with and address the reason for the remand. There was discussion regarding how this application fit in with the Beavercreek Concept Plan.

Mr. Walter said based on the consistency with the Comprehensive Plan and the ability to serve the area with public facilities and transportation infrastructure, staff recommended approval with conditions.

Mr. Konkol read an email from Metro into the record. The land had never been Title 4 land and Metro's concerns did not apply.

Phil Gentemann of West Linn introduced the team that helped prepare the application. This was an application to re-zone the property from Clackamas County FU-10 to the Oregon City MUC-1. Without the zoning the applicant could not proceed with financing the property or partnering to develop it. The applicant owned the property for four and a half years and the property was brought into the UGB in 1979. He had been part of the development of the Beavercreek Concept Plan. The MUC-1 zone was compatible with and conformed to the Concept Plan.

Phil Worth with Kittelson and Associates said there had been a great deal of coordination with ODOT to make sure their concerns were addressed in the conditions of approval. He thought the City would have a system that worked when the property developed. Chair Powell opened the public hearing and asked for public comment. There was none. Chair Powell closed the public hearing.

Commissioner LaJoie thought the application made sense and he supported the application. Commissioner Stein said it was the logical next step and he did not think they needed to wait for the remand process to approve the application.

Chair Powell said his concerns had been satisfied and supported the application as well.

Mr. Konkol clarified that the Planning Commission believed this application could move forward based on the fact it was brought into the UGB in 1979 and was not subject to Metro Title 11 concept planning requirements and did not have Metro Title 4 industrial lands.

The Planning Commission believed the application met the requirements.

Motion by Commissioner Dan Lajoie, second by Commissioner Chris Groener to to recommend approval of PZ 10-01: Comprehensive Plan Amendment and ZC 10-01: Zone Change as proposed by the applicant with conditions to the City Commission at their September 15, 2010 meeting.

A roll call was taken and the motion passed with Chair Tim Powell, Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Chris Groener voting aye. [4:0:0]

PLANNING DEPARTMENT UPDATE

Mr. Konkol said at the City Commission meeting on September 1 the potential lands for UGB expansion would be discussed. He explained the issues and how the City Commission would need to decide whether it was appropriate to expand the UGB at this time and whether it was appropriate to include Maple Lane.

Mr. Konkol also announced a new Building Official had been hired, Tom Hosey.

6. ADJOURN

Chair Powell adjourned the meeting at 9:37 p.m.