City of Oregon City

625 Center Street
Oregon City, OR 97045
503-657-0891

Meeting Minutes

Planning Commission

Monday, August 24, 2015 | **7:00 PM** | **Commission Chambers**

1. Call to Order

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

Present: 6 - Charles Kidwell, Robert Mahoney, Zachary Henkin, Paul Espe, Denyse McGriff and Damon Mabee

Absent: 1 - Tom Geil

Staffers: 4 - Carrie Richter, Laura Terway, Martin Montalvo and Kelly Reid

2. Public Comments for Items Not on the Agenda

There were no public comments on items not on the agenda.

3. Public Hearing

3a. Meyers Road Extension Corridor Plan (Planning File: L 15-04)

Chair Kidwell opened the public hearing.

Kelly Moosbrugger, Planner, said the applicant would be presenting the report to the Commission. The Commission held a Work Session two weeks ago on this topic and the applicant submitted additional material to address the comments from the Commission at the Work Session. She entered the following items into the record: a memorandum from Ronald Saunders, minutes from the Caufield Neighborhood Association meeting, a letter from ODOT, and a letter from Tri-Met.

Mike Hickey, David, Evans, and Associates, gave an overview of the project including the public outreach that had been done, Project Management Team, consistency with the Transportation System Plan, project area, and considered alternatives. The proposed design was developed based on detailed traffic analysis of all the surrounding zones under full development in the year 2035. They took a conservative approach regarding traffic volumes and considered multi-modal uses. The analysis focused on five intersections and he explained how these would be improved. He then discussed the Meyers Road configuration alternatives including one eastbound through lane, one westbound through lane, and continuous median or center left turn lane, buffered bike lanes which were reduced from three feet to two feet, sidewalks were widened from five feet to six feet, parking on the south side only, and it was designed with safety measures in mind, such as the speed would be 30 mph and sharper curves. Roundabouts were not recommended. He then discussed the screening criteria used for the preferred approach and typical cross section for Meyers Road. The cross section had been revised based on the Planning Commission's comments at a Work Session to include more greenery in the median, trees in the water quality swales, reduced bike lane buffer from three to two feet, and

widened sidewalks from five feet to six feet. He discussed the options for the bike lane buffer and suggested using painted lines rather than raised treatments. He then explained the proposed Meyers Road Extension Plan and preferred alignment.

Commissioner Espe suggested keeping the grassy median strips where possible.

Commissioner McGriff wanted to see an alternative for bike lanes that protected bicyclists from drivers if the drivers went into the bike lane.

Chair Kidwell thought the total width of the cross section needed to be minimized. He suggested a rumble strip on the line instead of a two foot wide buffer strip on each side of the street.

Commissioner Espe agreed a smooth, unobstructed bike path was best.

There was further discussion regarding options for the bike lanes.

Ms. Moosbrugger said the typical cross section was intended to show the total width and the elements of the street design were flexible and could be changed at a later date. Construction was five to ten years out. The amendment to the Transportation System Plan was for the preferred alignment of the Meyers Road corridor and total right-of-way width. She explained how the plan affected other TSP projects. The final design of the intersection would be reviewed at a different time.

Dan Berge, resident of Oregon City, owned property on Highway 213. He was concerned about access to his property. The proposed alignment was acceptable, although he would like it not to leave as much of an island to the college. He needed good traffic flow for the property which was zoned Campus Industrial. He wanted to sell the property, but had not been able to and the zoning might need to be changed.

Chair Kidwell closed the public hearing.

Commissioner McGriff wanted to put in the recommendation that the habitat in this area was important and should be preserved. She was comfortable with the striping or MMAs for the bike lanes as proposed by staff. The alignment needed to take strong consideration of the adjacent wetlands and Oak and Fir habitats and minimize impacts to them.

Ms. Moosbrugger said there were no conditions of approval. The proposal did its best to minimize impacts. Before construction began, a natural resource overlay process would be done.

Commissioner Mahoney wanted to make sure the alignment would meet the needs of the Campus Industrial property. Mr. Konkol said it was looked at in the traffic study and found it was designed appropriately.

Mr. Montalvo said the alignment took into account all of the environmental aspects.

Commissioner Henkin was concerned about the buffer for the bike lanes and what they could do to increase the perception that it was a 12 foot lane of traffic and not a 20 foot lane. He would support leaving it to staff's discretion.

Commissioner Espe wanted to see a variety of trees and shrubs that were being maintained with a buffer and bike lane without any raised obstructions.

A motion was made by Commissioner McGriff, seconded by Commissioner Espe, to recommend approval of the Meyers Road Extension Corridor Plan

with the recommendations of either striping or MMA for the buffered bike lane and minimizing the impacts on the wetlands and oak habitat. The motion carried by the following vote:

Aye: 6 - Charles Kidwell, Robert Mahoney, Zachary Henkin, Paul Espe, Denyse McGriff and Damon Mabee

3b. Boulder Run Development Application: Zone Change file ZC 15-01, Subdivision file TP 15-02 & Natural Resource Overlay District Verification file NR 15-04

Chair Kidwell opened the public hearing and read the procedures for the quasi-judicial hearing. He asked if any Commissioner had conflicts of interest, ex parte contacts, bias, or other statements to declare including a visit to the site.

Commissioners Henkin, McGriff, and Mabee visited the site. Commissioner Espe lived in the area and was familiar with the site. Chair Kidwell was familiar with the site as he used to live nearby.

Laura Terway, Planner, presented the staff report. This was a subdivision zone change and Natural Resource Overlay District review located on Pease Road and Hampton Drive. She explained the existing conditions of the site and Municipal Code criteria. The proposed zone change was going from R-10 to R-8. The property was surrounded by higher density. She discussed the zone change criteria. Staff thought the zone change would lead to a greater variety of housing types. There was a lot of R-10 in the City and not much R-8. The applicant was proposing a 19 lot subdivision. It would increase connectivity throughout the City, the existing single family home would be retained on lot 18, and the layout would allow development of the property to the north in the future. She explained the subdivision criteria. A traffic impact study was done and no issues were identified. The applicant did a Natural Resource Overlay District study which concluded that there used to be a drainageway across the property, but when the properties to the north were developed, the water was culverted and the drainageway was no longer there. Staff recommended approval with conditions.

Rick Givens, planning consultant representing the applicant, stated this was an awkwardly served property, as it was a skinny piece and the street stubs were not as well aligned. It created flag lot parcels. The only reason it was R-10 was it was annexed as R-10 by default. It was surrounded by R-8 and woudl fit in with the neighborhood. Regarding the Natural Resources Overlay District, the water that drained on the property at one time was cut off when the adjacent property was developed and a detention pond was put in. No water flowed across the property. The property was heavily wooded and a preliminary tree plan was done and would mitigate on site and off site for the trees that had to be removed. He discussed the street connections and stormwater drainage. He had no objections to the conditions.

Commissioner Mabee suggested changing Boulder Run Court to join with Windmill Drive. He wanted to minimize the use of flag lots as much as possible. He also suggested moving the storm detention pond to lot 4 and expanding lots 1, 2, 3, and 5 to be more R-8.

Mr. Givens thought changing the alignment would impact the property to the east because the house would not meet the side yard setback requirement. It would also eliminate more trees. Lot 4 was not the low point of the property. Some of the changes would mean the number of lots would be reduced and the project would no longer pencil. He did not think the configurations would meet the standards.

Bruce Goldson, project engineer, said they were using some of the existing piping from the existing detention pond which would be put in the access road. The detention pond would look similar to what was already there. It would be a standard looking detention pond with a landscape plan.

Commissioner McGriff asked which trees were being saved on the property. Mr. Givens explained the trees that would be saved.

Commissioner Mahoney asked about the use of flag lots. Mr. Givens said this was not his preferred design, but it was an in fill piece and the City did not plan this with future development in mind the way they did now. He did not think there was another alternative for elminating the flag lots without eliminating another lot.

Jason Muller, resident of Oregon City, thought it was unnecessary and unfeasible to connect Boulder Run Court to Sunset Springs. On property 12, the trees were large Douglas Firs with extremely deep roots and were near the foundation of his home. He thought it would be an issue if they were removed. On the north and west sides of properties 12, 13, and 19, there was a run of large, old Douglas Fir trees. There were also a lot of plants and animals and he thought a lot of water ran through the soil. He had to construct a retaining wall to keep his backyard from moving down the hill. His neighbor to the west also had a retaining wall. He thought removing the trees to the north would cause foundation disruption because of the tree root structure, especially since they were right on the property line.

There was discussion regarding preserving the trees and getting a restrictive covenant on the trees so they could not be cut down.

Mr. Givens said they were not planning to remove the trees that Mr. Muller was most concerned about. He thought the cost of removing the trees would stop future property owners from removing the trees. Mr. Goldson said if the tree was on two properties at the property line, both owners would have to agree to remove it. Each one of the lots would have a foundation and would connect to the storm drain, so any impervious water would drain to the storm system. Mr. Givens said there would be drainage at the end of the new street that would provide for the collection of the water and to absorb water from the area.

Chair Kidwell closed the public hearing.

Commissioner Mahoney thought this was sufficient use of the property. He did not like the flag lots, but he did not think it could be done any better. He was in support of the application.

Commissioner Henkin thought R-8 fit the neighborhood. He also did not like the flag lots, but he did not know of a better site design. He was also in support.

Commissioner Espe did not like the design, but it was an in fill piece. He thought there needed to be a future conversation regarding tree preservation and mitigation. He thought the application met the criteria.

Commissioner McGriff also did not like the flag lots and hoped the developer could work with the adjacent property in regard to the trees so they were not removed.

Commissioner Mabee did not like the flag lots. He thanked the applicant for the trees that would be preserved. He thought it met the criteria, although he did not like the smaller lot sizes.

Chair Kidwell said this was a piece of property the City allowed to squeeze through without thought for its development when the adjacent properties were developed. Even if it stayed as R-10, it would be an awkward configuration. He thought the applicant had done a good job of salvaging most of the larger specimen trees. He suggested saving as many trees as possible around lots 12 and 15. He was in support of the application.

A motion was made by Commissioner Espe, seconded by Commissioner Henkin, to approve the Boulder Run Development Application: Zone Change file ZC 15-01, Subdivision file TP 15-02 & Natural Resource Overlay District Verification file NR 15-04 with conditions. The motion passed by the following vote:

Aye: 5 - Charles Kidwell, Robert Mahoney, Zachary Henkin, Paul Espe and Denyse McGriff

Nay: 1 - Damon Mabee

3c. Pavilion Park III Development Application: Zone Change file ZC 15-02 & Subdivision file TP 15-03

Chair Kidwell opened the public hearing. He asked if any Commissioner had conflicts of interest, ex parte contacts, bias, or other statements to declare including a visit to the site.

Commissioners Henkin, McGriff, and Mabee visited the site. Commissioner Espe frequented the area as he lived nearby. Chair Kidwell used to live in this area and was familiar with the site.

Ms. Terway presented the staff report. This was a zone change and subdivision application for property on McCord Road. There was currently a single family home and accessory structures on the site. She reviewed the Code criteria. The proposed zone change was from R-10 to R-6. The property was annexed into the City last year and defaulted to R-10 zoning. She discussed the zone change criteria. There was not much R-6 zoning in the City. The applicant also proposed a subdivision of 25 lots and she explained the design and street connections. The applicant would mitigate for removal of about 40 trees that would be in the right-of-way. Some trees were being retained. She explained the subdivision criteria. The transportation study did not identify any major issues. There was one condition, that the lot on Leland Road had to have a way for the owner to turn around and come out on Leland Road instead of backing out onto Leland Road. Staff recommended approval with conditions.

Rick Givens, planning consultant, was representing the applicant. There were no flag lots and all the street stubs were tied in and the streets were aligned for future development. The property abutted R-3.5 zoning to the northeast and R-6 to the northwest. He thought the R-6 would complete the neighborhood in a logical fashion. The property drained to the southwest corner and stormwater detention would be provided by expanding the existing stormwater facility in Pavilion Park neighborhood. He had a few concerns regarding the conditions. Regarding Condition 21, extending sanitary sewer across lot 16 at the developer's expense, the proposal was to serve lot 16 through an easement from lot 17. He discussed the Sanitary Sewer Master Plan and GIS maps which showed how the sanitary sewer would be served by going around Leland to McCord and how the line would be going counter to the topography if it was on lot 16. He suggested Condition 21 be eliminated after staff reviewed it and concurred with the applicant's proposal. Conditions 10 and 11, extending water all the way across lot 16, he did not think it was reasonable to make that connection due to the cost of the improvement. They were also being asked to provide house service lines to the adjoining properties and construct water meter vaults to the edge of the

right-of-way, which was not a benefit to their development. The applicant was requesting that those conditions be stricken and that they provide frontage improvements and either connect to Clackamas River Water temporarily or have an easement on lot 17 to provide water for lot 16. There was a similar situation with Condition 9 where they would have to provide services to other property owners at the applicant's expense from lots 1 and 2.

David Douglas, resident of Oregon City, said this was his property. He was requesting approval of the application. He would be proud to have this development on his property.

Amanda Kraxberg, resident of Oregon City, asked what the plan for Anita Place was as it was currently a dead end road, but it looked like it was going to connect with McCord. She was concerned about increased through traffic in the neighborhood.

Commissioner Mabee clarified there was no intention of diverting traffic through the neighborhood streets and encouraged traffic to go on Leland and McCord.

Ms. Richter suggested continuing the hearing to September 14 to allow staff to respond to the changes proposed to the conditions.

Mr. Givens confirmed it was not the applicant's intent to re-route the traffic throuh the neighborhood. The connection would not be made as part of this development, but would be done in the future. They could also use signage and traffic calming to help mitigate it as well. He was willing to work with staff to come to an agreement on the conditions.

A motion was made by Commissioner McGriff, seconded by Commissioner Mabee, to continue Pavilion Park III Development Application: Zone Change file ZC 15-02 & Subdivision file TP 15-03 to September 14, 2015. The motion carried by the following vote:

Aye: 6 - Charles Kidwell, Robert Mahoney, Zachary Henkin, Paul Espe, Denyse McGriff and Damon Mabee

4. Communications

Commissioner McGriff asked how the site visits were going regarding the Sign Code education. Ms. Terway said the site visits were done. Every non-residential site had been visited. The new Sign Code would go into effect on November 1. It was appreciated that the City took the time to talk to people about the changes.

Mr. Konkol announced the Rediscover the Falls event on September 9.

5. Adjournment

Chair Kidwell adjourned the meeting at 10:08 PM.