



CITY OF OREGON CITY PLANNING COMMISSION MINUTES

Monday, August 22, 2022 at 7:00 PM

CALL TO ORDER

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

Present: 7 - Chair Dirk Schlagenhauer, Commissioner Patti Gage, Commissioner Mike Mitchell, Commissioner Daphne Wuest, Commissioner Gregory Stoll, Commissioner Christopher Staggs, and Commissioner Bob La Salle

Absent: 0 -

Staffers: 4 - Community Development Director Aquilla Hurd-Ravich, Assistant City Engineer Josh Wheeler, Planning Manager Pete Walter, and Deputy City Attorney Carrie Richter

PUBLIC COMMENT

None

PUBLIC HEARING

1. Adopt Revised Planning Commission Bylaws.

Aquilla Hurd-Ravich, Community Development Director, reviewed the revisions to the bylaws that were suggested by the City Commission.

There was consensus to leave allowing two people to be non-residents in the Bylaws and a meeting could be canceled upon the determination of the Community Development Director in "consultation" with the Planning Commission Chair instead of "conferral."

A motion was made by Commissioner La Salle, seconded by Commissioner Mitchell, to adopt the revised Planning Commission Bylaws. The motion carried by the following vote:

Aye: 7 - Chair Dirk Schlagenhauer, Commissioner Gregory Stoll, Commissioner Christopher Staggs, Commissioner Patti Gage, Commissioner Daphne Wuest, Commissioner Mike Mitchell, and Commissioner Bob La Salle

2. GLUA-21-00045 / MAS-21-00006 / VAR-22-00001 Park Place Crossing General Development Plan.

Pete Walter, Planning Manager, presented the staff report. He gave a project summary and explained items that would be reviewed at the time of the Detailed Development Plan, previous hearings and continuances, 120-day deadline, public testimony, new items included in the updated agenda packet, summary of revisions made by the applicant, items in the applicant's latest memo to the Planning Commission, revised layout, topographically constrained vs. alley loaded lots, density, revised conditions of approval, and annexation and zone change application.

Carrie Richter, Deputy City Attorney, discussed the alternative approval process of discretionary evaluation through a master plan review, which was different from evaluating an application against clear and objective standards. She then explained the argument for the protection of the Neighborhood Commercial zoned area.

John Replinger, Traffic Consultant, explained the TSP did not include a project for the Redland/Holcomb/Abernethy intersection and no project cost was identified.

There was discussion regarding the conditions, how the phase barrier would be put in regardless of trip count, NROD review as a Type II process, full street connection to Livesay Road, master plan review vs. clear and objective standards, applicant paying future development costs, underground aquifer, garage setbacks and alleyways, and future roundabout.

Josh Wheeler, Assistant City Engineer, explained the words "underground aquifer" could be replaced with "groundwater supply." They needed to follow the stormwater standards, but they also had to be cognizant of the groundwater supply.

Garrett Stephenson, representing the applicant, discussed the changes that had been made to the project including redesign of the transportation system, community park, and reduction in density.

Chris Goodell, representing the applicant, explained the project updates including lower density, bigger lots, greater housing diversity, additional alleys, other layout changes, and updates to the park and Neighborhood Commercial areas.

There were questions about minimum lot size, options for Commission action, garages for the small lots, aesthetic of the retaining walls, mitigation improvements, trip cap, new street for connectivity to Livesay Road, lack of alleys, and mixed-use development in phase 2.

Linda Smith, resident of Oregon City, discussed the trip counts, which did not include those coming from non-residents, and how she did not trust Icon's counts.

Paulette Merrill, resident of Oregon City, said they needed to make sure this was a good development by including strong conditions.

Tom Geil, resident of Oregon City, discussed the differences between Type II and Type III processes. He explained Dr. Scott Burns was a professor of geology, and how this was an area of landslides.

Christine Kosinski, resident of unincorporated Clackamas County, discussed the information she received from Dr. Burns and explained her concerns about the soil conditions.

Jim Nicita, resident of Oregon City, thought the Commission should require the applicant to build the extension on Redland before any development occurred.

Jackie Hammond-Williams, resident of Oregon City, noted Icon had been fined by DEQ for code violations on other projects in the city of Canby. She was concerned about lack of access, especially for current residents.

Ken Neish, resident of Oregon City, thought the small lots on Holly Lane would have issues with people parking on the street, especially visitors.

Deputy City Attorney Richter said there was a request to continue the hearing, however the decision deadline was October 21 and the Planning Commission's decision was appealable to the City Commission. They had to have sufficient time to provide notice for the appeal hearing and have the hearing and adopt findings. Unless the applicant extended the 120-day deadline, they did not have any more time to delay.

It was suggested to add a condition stating each phase of development would be handled as a Type III application to be reviewed by the Planning Commission.

Ms. Richter said they would have to find that there was some shortfall in the proposal to meet the criteria in order to add that condition.

Mr. Walter explained the reasons for a Type III application per the code.

Commissioner La Salle added there were violations in regard to the traffic impact study, layout of the lots did not comply with the underlying zones, flag lots, lot size reduction, alleys, access to the development, no mitigation for surrounding properties, neighborhood livability impacts, not consistent with underlying zoning district due to reduction of lot sizes, garages and accessory structures, and Park Place Concept Plan non-compliance.

Mr. Stephenson provided rebuttal. He thought the application met the criteria. They had done a preliminary geologic hazard analysis, but for each DDP they would need a more detailed geologic report. This was a general concept, and the details would come with the DDP. He objected to a condition requiring a Type III process for each phase. They met the criteria and needed some assurance as developers that the plan was moving forward and the City would honor it. He requested a week for final written argument to be able to respond to the number of documents that were submitted today and to address the points Commissioner La Salle made. He challenged Commissioner

La Salle for bias due to his testifying in opposition to the previous annexation of the project site.

There was discussion regarding the procedure for the final written arguments and time-frame for making a decision. Mr. Stephenson dropped the request so the Commission could decide that night.

Public hearing was closed.

Deputy City Attorney Richter said Commissioner La Salle disclosed his involvement with the Park Place neighborhood very clearly at the beginning of this process. He said he would be unbiased, and he was not challenged at that point.

The Commission discussed the suggested condition to make every DDP a Type III process. There was consensus not to move forward with the suggestion.

It was suggested shortening the length of the GDP to 12-15 years so it was not a guiding document for the next 20 years. They would have to come back with an updated GDP at the end of that time.

Deputy City Attorney Richter thought it could be reduced per code.

There was consensus to make the length 12 years and then the GDP would need to be updated.

There was discussion and consensus to add the word “only” to Condition 5b—garage orientation standards were “only” approved for the lots indicated and to add a condition, “There could be no more non-alley lots located on Holly except as was shown in the layout revision exhibit.”

It was also suggested to revise Condition 9b, that the phase barrier would go in regardless of the trip count and to add another condition that Holly Lane would follow the route as shown in the layout revision exhibit.

Another condition suggested to be added was the notice for DDP applications is to include 300 feet from the outside boundaries of the GDP.

It was agreed that the applicant’s request for Condition 53 to change the word “aquifers” to “groundwater supply” made sense.

A motion was made by Commissioner Staggs, seconded by Commissioner Stoll, to tentatively approve GLUA-21-00045 / MAS-21-00006 / VAR-22-00001 Park Place Crossing General Development Plan with the conditions as revised and findings that supported the decision. The motion carried by the following vote:

Aye: 5 - Chair Dirk Schlagenhauser, Commissioner Gregory Stoll, Commissioner Christopher Staggs, Commissioner Patti Gage, and Commissioner Daphne Wuest

Nay: 2 - Commissioner Mike Mitchell and Commissioner Bob La Salle

COMMUNICATIONS

None.

ADJOURNMENT

Chair Schlagenhafer adjourned the meeting at 11:00 PM.