

**CITY OF OREGON CITY
PLANNING COMMISSION HEARING**

June 14, 2010, 07:00 P.M.
City Commission Chambers - City Hall

1. CALL TO ORDER

Commissioner LaJoie called the meeting to order at 7 p.m.

Roll Call:

Commissioner Dan Lajoie
Commissioner Carter Stein
Commissioner Chris Groener
Commissioner Charles Kidwell

Staff Present:

Tony Konkol, Community
Development Director
Pete Walter, Associate Planner
Carrie Richter, Assistant City Attorney

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

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

3. ADOPTION OF PLANNING COMMISSION MINUTES

May 10, 2010 Draft Planning Commission Minutes

May 10, 2010 Draft Minutes

Motion by Commissioner Carter Stein, second by Commissioner Chris Groener to to approve the May 10, 2010 Regular Meeting Minutes as submitted.

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

May 24, 2010 Draft Planning Commission Minutes

May 24, 2010 Draft Minutes

Motion by Commissioner Carter Stein, second by Commissioner Charles Kidwell to to approve the May 24, 2010 Regular Meeting Minutes as submitted.

A roll call was taken and the motion passed with Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Charles Kidwell voting aye and Commissioner Chris Groener abstained. [3:0:1]

4. PLANNING COMMISSION HEARING

CU 10-01 and SP 10-01: Conditional Use and Site Plan and Design Review Application for Atkinson Memorial Church Education Building.

Commission Report

Staff Memo

Additional Findings for Tree Protection OCMC 17.41

Applicant's Letter to Planning Commission

Applicant's Site Plan 6.14.10

Applicant's Presentation

Transformer, Trees and Transparency

Applicant's Use Chart

Appellant's Memo and Exhibits 6.14.10

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

Commissioner Groener visited the site. There were no other disclosures.

Pete Walter, Associate Planner, said this application was for the Atkinson Memorial Church education wing addition. The Planning Commission last reviewed it on May 24 and continued the hearing to June 14. He discussed the outstanding issues of the architectural design, window transparency, parking, tree preservation, and setbacks. The remand of the Historic Review Board application was heard on May 25, 2010 and the HRB voted 4-0 to approve the revised exterior building materials. Staff needed to review the new parking submittal which showed there would be no significant impact caused by the addition of the wing and the uses proposed were the same that had been on the site historically but the space was being used more efficiently. The original staff report did not include findings for compliance with the tree protection code. The applicant would attempt to preserve the eight inch Dogwood Tree at the corner of the site, to remove three trees in the vicinity of the two new parking spaces, and to plant 10-14 new trees on site. Staff recommended having an arborist on site during excavation of the root area of the Dogwood Tree to ensure the protection requirements could be met. The Dogwood would be considered a street tree. The transformer was proposed to be moved to the center of the site away from street

frontage. Regarding transparency, the church was considered a non-conforming structure. Once the addition was made, they would move closer to the 60% transparency requirement and in the Code it stated that if the modification could better meet the intent of the site design requirements, the Planning Commission could approve the modification. Mr. Walter then explained Exhibits A-G. Regarding parking, the existing church was not being reviewed for compliance with the parking standards. The new addition impact on parking would be 14 new spaces on the street and 2 new spaces off the street.

Jill Long was the attorney for the applicant, Atkinson Memorial Church. Many members of the church came that night in support of the application. She gave a brief project overview and reasons for the addition. She discussed the use planned for the new building and how it related to traffic impacts and parking. There was no expansion of use as part of this project. The education wing was a replacement for a current facility that better accommodated the uses that currently existed on the site. Two traffic engineers found there would be no traffic impacts associated with the education wing project. Regarding parking, because the church use would stay the same there was no required analysis. The preschool required two parking spots, and there were ample spots of on street parking along the frontage of the education wing. The project would also add two ADA parking spots. There were two modifications necessary for the education wing, setbacks and transparency. The setback modification allowed the addition to blend better into the historic neighborhood and not detract from the historic landmark. The HRB determined the transparency issue fit best with the compatibility of the landmark and moved to more conformance of the building. The decision of the HRB was appealed and would be heard by the City Commission on July 7. The Code allowed for two tracts to be followed by the applicant simultaneously and both had to be approved in order for the project to move forward. She also discussed the modifications to the site plan in response to neighbor concerns.

Gregg Stults of Oregon City was speaking on behalf of the Preschool. The Preschool body and board supported the application. They wanted to stay in this location long term. There was no intention to expand the use of the Preschool.

Mary Johnson, attorney for the appellant Margaret Foss, said regarding the off street parking, the applicant did not provide the number of seats available in each meeting room and the record was incomplete to calculate the number of spaces required. The church would increase by 4% per year, the leaseable space was increasing by 80%, and there were community meetings seven days a week held in the facility. A lot more parking was needed than what was being proposed. She requested a continuance of the hearing until after the HRB decision was final. The landscaping needed to be traditional and use traditional plants.

Ms. Long explained the Code and analysis for parking. The education wing would be neither an enlarged use or a change of use. It was new accommodations for existing uses and the criteria mentioned by Ms. Johnson was not relevant to the application. Regarding expansion of use, the church found that on a one time basis that it could increase attendance by 3 to 7 people. Both traffic engineers reviewed the numbers and found they were minimal and insignificant to any impact on

traffic or parking. There would be an additional 1,900 square feet, but a large amount would be used for the area that connected the existing church to the education wing and provide for ADA access. Finality on the HRB decision was not required for the Planning Commission to move forward. Regarding landscaping, the planter strip on the street side was small and had overhead electrical wires that made it impossible to plant sufficient street trees in the area. They found an alternative location that provided the intent of the street tree standard.

Denyse McGriff representing the McLoughlin Neighborhood Association Steering Committee said upon review of the revised site plan, the Committee found the applicant had adequately resolved the transformer and tree removal issues and voted to recommend the Planning Commission support this application.

Ms. Richter recommended to close the public hearing but leave the record open to allow for written submittals only that responded to the new evidence by 5 p.m. on June 21, 2010. After June 21, 2010, the record was closed to all parties except for the applicant who would submit their written argument on June 24, 2010 by 5 p.m. The Planning Commission would reconvene on June 28, 2010 for deliberation and a decision.

Tony Konkol said the HRB decision appeal would go to the City Commission on July 7 and the 120 day deadline for a decision from the City was July 8. The next hearing would be July 12 in front of the Planning Commission.

Motion by Commissioner Chris Groener, second by Commissioner Dan Lajoie to to continue the public hearing for CU 10-01 and SP 10-01 to June 28, 2010, leaving the record open for written comment only, and to close the public hearing.

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

6. ADJOURN

Commissioner LaJoie adjourned the meeting at 7:55 p.m.