



City of Oregon City

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

Meeting Minutes

Planning Commission

Monday, April 22, 2019

7:00 PM

Commission Chambers

1. Call to Order

Chair Mitchell called the meeting to order at

Present: 7 - Tom Geil, Vern Johnson, Patti Gage, Mike Mitchell, Dirk Schlagenhauer, Greg Stoll and Robert Mahoney

Staffers: 3 - Laura Terway, Christina Robertson-Gardiner and Pete Walter

2. Public Comments

Patti Webb, representing Friends of Canemah, discussed her concerns about a survey that was sent regarding proposed code changes.

3. Public Hearings

- 3a. GLUA-18-00038- Consolidated File (No. SUB-18-00001: Subdivision, NROD-18-00012: Natural Resource Overlay District, VAR-18-00003: Variance - Planning Commission Type III) for a property located at 16362 Hiram Ave, Oregon City.

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

Commissioner Johnson drove by the site. Commissioners Geil, Schlagenhauer, Gage, and Chair Mitchell visited the site.

Christina Robertson-Gardiner, Planner, presented the staff report. She gave a background on the applications, existing conditions, proposed plat, and variance request for a 6.5 foot side yard setback instead of 15 foot. She then explained the relevant findings and conditions of approval. Staff recommended approval of the applications.

There was discussion regarding the intermittent stream on the property, issues with on-street parking, setbacks for a future detached garage, retaining the existing house, fire truck turn around on Lot 5, street improvements to Hiram Avenue, width of the internal streets, and room for fire trucks with cars parked on both sides.

Tom Sisul, representing the applicant, said the applicant did not wish to challenge any of the conditions. The fire truck turn around would not be on Lot 5 due to the width of the lot, but could potentially be on the shared property lines of Lots 3 and 4. The

applicant intended to build off street parking for Lot 1. If a detached garage was built by the existing house, he expected it would meet the minimum setback. Some of the lots were deep and there would be space for parking. There were a lot of constraints on this property and the development would produce 4 new homes. There would be street improvements and widening on Hiram and they would provide access to the south for those parcels to develop in the future. He thought the street width would be 28 feet and parking would be permitted on one side of the street. No driveways would be accessing Hiram. The reduced setback was a trade off for doing an in-fill.

The Commission asked clarifying questions on the applications.

Paulette Merrill, resident of Oregon City, discussed how Hiram was constrained and the houses close to the street. She did not think this development would meet the character of the neighborhood. She expressed concern about the increased traffic, water in the intermittent stream all year long, and stormwater on her property.

Mr. Sisul provided rebuttal. The stormwater facility would take all of the water from this development and would direct it to the storm system in Hiram.

Chair Mitchell closed the public hearing.

The Commission discussed the application and the reasons for support of the project.

Chair Mitchell suggested adding a condition on Lot 1 that if the lot was redeveloped the standard setbacks would apply.

A motion was made by Commissioner Stoll, seconded by Commissioner Mahoney, to approve GLUA-18-00038- Consolidated File (No. SUB-18-00001: Subdivision, NROD-18-00012: Natural Resource Overlay District, VAR-18-00003: Variance - Planning Commission Type III) for a property located at 16362 Hiram Ave, Oregon City with the added condition that the reduced setback would only apply to the existing house. The motion carried by the following vote:

Aye: 7 - Tom Geil, Vern Johnson, Patti Gage, Mike Mitchell, Dirk Schlagenhauser, Greg Stoll and Robert Mahoney

3b.

File LEG-18-0001: City Commission Request for Additional Planning Commission Review of Certain Code Amendments

Pete Walter, Planner, discussed four items that the City Commission sent back to the Planning Commission for further review and clarification. These items were: Accessory Dwelling Unit owner occupancy requirements and short-term rental policy, height limit in the Mixed-Use Downtown District for properties located outside of the Downtown Design District, prohibiting 3-4 plexes in the Historic Commercial District, and change or retain the mailed notice area requirement of 300 feet to neighboring property owners for Type II-IV development. He asked if the City should pursue a short-term rental policy and if so, should that policy be in place before removing the Owner Occupancy requirement for ADUs. Also, what aspects of short-term rentals did the Commission want to address.

Denyse McGriff and Damon Mabee, former Planning Commissioners, discussed what the Planning Commission at the time had said about the short-term rental policy.

There was consensus that a short term rental policy should be created through a public process and that there should be no owner occupancy requirement for ADUs.

Mr. Walter asked if 3-4 plexes should be prohibited in the Historic Commercial District.

Patti Webb, resident of Oregon City, lived in Canemah. She thought 3-4 plexes in Canemah went against everything Canemah stood for. It would not fit with the standards or topography and would affect the view. She discussed how the two current apartment complexes were inappropriate for Canemah and with so little land left in Canemah, she did not think it should be used for 3-4 plexes.

Mr. Mabee explained his position on this item which was not to allow 3-4 plexes in this district.

There was discussion regarding what was currently allowed in the code and if it should be changed. There was further discussion about prohibiting 3-4 plexes and multi-family because the use of 3-4 plexes and multi-family was not traditionally in this location.

A motion was made by Commissioner Geil, seconded by Commissioner Schlagenhauser, to prohibit 3-4 plexes and multi-family uses in the Historic Commercial District and to allow up to two residential units above a commercial use. The motion carried by the following vote:

Aye: 7 - Tom Geil, Vern Johnson, Patti Gage, Mike Mitchell, Dirk Schlagenhauser, Greg Stoll and Robert Mahoney

Mr. Walter asked if the 300 foot notice to neighboring property owners for Type II-IV development should be changed or retained.

There was discussion regarding the current notice process and cost and making better use of the City's website. The majority of the Commission thought the 300 foot notice should be retained due to the cost of increasing the area, low return rate on mailed notices, it was above the State's requirement, and there were other avenues for people to get the information.

Commissioner Geil thought the notice area should be expanded to 500 feet.

A motion was made by Commissioner Mahoney, seconded by Commissioner Gage, to retain the 300 foot notification area. The motion passed by the following vote:

Aye: 6 - Vern Johnson, Patti Gage, Mike Mitchell, Dirk Schlagenhauser, Greg Stoll and Robert Mahoney

Nay: 1 - Tom Geil

Mr. Walter asked about the height limits for the Mixed Use Downtown District.

There was discussion regarding the current height limits and the proposal to change the 45 foot height limit to 75 feet.

The Commission would like a 3-D rendering of what 45 foot and 75 foot heights would look like before making a decision.

4. Approval of the Minutes

4a. Approval of Planning Commission Minutes

A motion was made by Commissioner Geil, seconded by Commissioner Johnson, to approve the January 22 and February 12, 2018 and January 14,

2019 Planning Commission minutes. The motion carried by the following vote:

Aye: 7 - Tom Geil, Vern Johnson, Patti Gage, Mike Mitchell, Dirk Schlagenhauser, Greg Stoll and Robert Mahoney

5. Communications

6. Adjournment

Chair Mitchell adjourned the meeting at 9:57 PM.