



City of Oregon City

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

Meeting Minutes - Final Planning Commission

Monday, April 22, 2013

7:00 PM

Commission Chambers

1. Call To Order

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

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

Absent: 1 - Zachary Henkin

Staffers: 6 - Carrie Richter, Pete Walter, Laura Terway, Tony Konkol, John Lewis and Christina Robertson-Gardiner

2. Public Comments

Christine Kosinski, resident of unincorporated Clackamas County, discussed a comment made at a prior meeting that people of Holly Lane are against growth and development. She wanted the Commission to know the residents of Holly Lane are not against growth and development, but instead would like to see smart development in the area that addresses safety and landslide concerns. Ms. Kosinski also thanked the Commission for their attention to detail, research and solution seeking.

3. Public Hearing

[PC 13-033](#)

CU 12-01, SP 12-19, VR 12-05: Conditional Use, Site Plan and Design Review, and Variance Application for new Modular 8-Classroom Building At Gardiner Middle School.

Chair Kidwell explained the rules related to the public hearing process. Mr. Kidwell asked if the commission had any ex parte contact to declare. Commissioner McGriff stated she sits on a board of directors that has property directly adjacent to the School District property and she received notice of the hearing. Commissioner Mabee excused himself because he is employed by the School District and that is his primary source of income. Commissioner Mabee left the dais to sit in the audience. Commissioner Espe declared he had a son enrolled in Gardiner Middle School last year and his wife also works for the School District. Carrie Richter, City Attorney, explained he would need to excuse himself due to his wife being employed by the School District. Commissioner Espe left the dais to sit in the audience. There were no other declarations of ex parte.

Pete Walter, Associate Planner, gave a description of the Site Plan and Design Review for the proposed module being requested from the Oregon City School District. Mr. Walter gave a background and history of the site. Staff recommended approval of CU 12-01, SP 12-19 and VR 12-05 as submitted by the applicant with the recommended conditions of approval and with the exception of request for a variance from OCMC 17.52.040.B (number of bicycle parking spaces).

Commissioner Mahoney asked what would happen if the Commission approved the application with the variance. Mr. Walter explained that the building and the variance went hand and hand, and the applicant would be required to provide the full amount of bicycle parking spaces as a new rack in a new location.

Commissioner Geil asked how the students are currently parking their bicycles and how the variance affects the approval of the application.

Commissioner McGriff asked about the analysis of the landscape. Mr. Walter explained the proposed landscape and the requirements from the City. There was discussion regarding what types of trees would be planted in the landscape and trees that were going to be removed. The Commission discussed the lighting plan being proposed by the applicant.

Mr. Kidwell asked how staff came to the conclusion the applicant had met the building material requirements. Mr. Walter explained how staff came to that conclusion.

Chair Kidwell opened the public hearing.

Rick Givens, Planning Consultant working with the School District and Ted Thonstad, Director of Operations for the School District, were present representing the applicant, and Zach Stokes with ZCS Engineering was in the audience to answer any engineering related questions about the project. Mr. Givens discussed the project and the considerations that went into the project to provide adequate facilities to the students in the District while keeping to City Code requirements.

Mr. Thonstad discussed the reasons the School District decided to add sixth grade to the middle school. First, the 2 million dollar savings over the next three years to the School District; second, the new Common Core Standards adopted in 2010 which need to be implemented by 2014; third, better utilization of classroom space in the elementary schools. Mr. Thonstad addressed Commissioner McGriff's concerns regarding the proposed removal of trees and the reason for their removal.

Mr. Givens reviewed the conditions of approval suggested by staff. The School District would like to modify the existing bicycle racks and place all racks in a new location that added more safety. Regarding condition five, the School District proposed taking the wall out, extending the sidewalk and add a curve out for buses. They believed this proposal addressed bus safety concerns they have and would like the Commission to adopt this as part of their approval. There was further discussion regarding landscape and native plants versus non-native plants. The School District had no problem using native plants. They discussed the Commission's questions about this being a permanent structure or temporary and the cost savings to the School District for a modular building versus keeping the students at Mt. Pleasant.

William Gifford, resident of Oregon City, agreed with Commissioner McGriff regarding native plants. He asked if the Fire District had been out to the proposed site, and if the Commission or applicant had considered a covered walkway.

Damon Mabee, resident of Oregon City, discussed his concern for increased foot, bus, bike and car traffic to Hood and Ethel streets and the surrounding community. He suggested adding a continuous sidewalk from these streets to Linn Avenue. He was worried about the family homes near the abandoned schools and families moving away to an area closer to schools that were not abandoned.

Commissioner McGriff asked staff if there were any proposed plans to do any improvements in this area.

John Lewis, Public Works Director, stated he didn't know of any plans currently to add sidewalks to this area.

Commissioner McGriff suggested a work session to discuss the roads and sidewalks that surround the schools in the district.

Chair Kidwell called for a point of order and called the applicants up to address comments made.

Mr. Givens and Mr. Thonstad addressed the question regarding extra bus trips. Mr. Thonstad explained they will be using the same bus system and that didn't result in any extra trips. Additional traffic was detailed in the report from Lancaster. Mr. Givens affirmed the road met the fire safety requirements.

There was discussion regarding the amount of foot traffic to and from school versus bus traffic.

Tony Konkol, Community Development Director, discussed the transportation report by John Repplinger and the ADA sidewalk improvement on site, the bus pull-out on the north side and the landscaping requirements associated with the parking lot. Staff would be recommending the applicant consider making an adjustment and either put in additional sidewalk or a planter strip giving them the flexibility to meet the sidewalk standards and the planting requirements.

Carrie Richter, Attorney, would draft the conditions and include findings as part of the final decision that would support modifications for sidewalks.

Chair Kidwell closed the Public Hearing.

Pete Walter, Associate Planner, summarized the application, traffic analysis report from John Repplinger and recommendations from staff.

Commissioner McGriff suggested Pete Walter work with the School District on the native plants list for the project.

Commissioner Mahoney, doesn't see any adverse effects on the community.

Carrie Richter, Attorney, read into the record the conditions of approval for conditions number seven (OCMC 17.52.060(C)1(A)) and five (OCMC 17.52.040) as set forth by staff and the Planning Commission.

A motion was made by Commissioner McGriff, seconded by Commissioner Geil, to approve CU 12-01, SP 12-19, VR 12-05, Conditional Use, Site Plan and Design Review, and Variance Application for new Modular 8-Classroom building at Gardiner Middle School with the amended conditions of approval. The motion carried by the following vote:

Aye: 4 - Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

Excused: 2 - Paul Espe and Damon Mabee

[PC 13-012](#)

19370 Pease Road: Request for a Zone Change and approval of an 11-lot subdivision and geologic hazards review. Planning Files ZC 12-01, TP12-04 and US 12-01.

Chair Kidwell explained this item was continued from a previous meeting. Mr. Kidwell

asked if the Commissioners had any ex parte contact to declare. Commissioner Geil, Mahoney, Espe and Mabee had visited the site.

Laura Terway, Planner, gave a brief overview of the proposed development. This application was for a zone change from R-10 to R-6 and approval of an 11-lot subdivision and geologic hazards review. Subject site is adjacent to Pease Road and a little over 2 acres. Conditions of approval include demolition of the existing single family home and accessory building before being platted. Site was annexed in 2008 and annexation agreement included the fee of \$3,500 for each lot. Site is adjacent to R-6 and R-8 lots. Ms. Terway gave the conditions of approval and traffic impacts. Stormwater concerns were brought up at the last meeting. Ms. Terway introduced Todd Martinez and Gordon Monroe who would discuss the stormwater concerns.

Todd Martinez, Project Engineer, and Gordon Monroe, Kennedy Jenks Consultants, were there to address the concerns related to stormwater issues.

Commissioner McGriff wanted to make sure they would be discussing the stormwater concerns that were not addressed in the report. Staff assured her they would.

Mr. Monroe, discussed the discharge location and the potential impact to another home owner. The proposal is for lots 1-6 and 10-11 to be diverted and go down to a stormwater basin located in Pavilion Park 1, the only stormwater that will be going into the existing stormwater drainage are lots 7, 8 and 9. The proposal includes Kennedy Jenks Consultant review the data once the homes are built to determine if there is less stormwater going there after the development than before. If not, then the applicant would be required to mitigate and improve the site. They have also suggested that lots 7, 8, and 9 have soaking trenches, acting as detention and mitigating the flow of water. Storm drainage study will be continuous throughout the process. The proposal showed that diverting two-thirds of stormwater to a new catch basin would either keep the flow the same or less than. If the flow of stormwater is greater, then they are required to build new improvements across the property.

Commissioner Geil asked when the data was taken.

Mr. Monroe explained when and how they gathered the data.

Mr. Mahoney asked if this will help the neighboring house with runoff of stormwater.

Mr. Monroe stated that the runoff will either be the same or less than what occurs now. The impact from the subdivision will not make the matter worse based on what the applicant has proposed and the conditions of approval.

Carrie Richter, City Attorney, explained they are discussing condition no. 28 and that they could delete the last sentence deferring determination to city staff, and instead review the updated data report through a type II procedure thereby allowing neighbors the opportunity to comment and potentially appeal to the planning commission for further review.

There was discussion regarding the current stormwater conditions in the neighborhood, how the addition of the new subdivision would affect current conditions and who would be responsible for future stormwater conditions and concerns.

Todd Martinez, Project Engineer, continued with the presentation, discussed the road and alignment improvements to Pease Road, and lighting.

Commissioner Geil discussed his concerns regarding driveway entrances backing out onto the main road.

Mr. Konkol explained that Pease Road is considered a neighborhood connector and not a main road.

Ms. Terway, explained the driveway condition of approval for lots 8 and 9. If the applicant wanted the driveway of lot 8 to face Pease Road, staff suggested combining the driveway for lot 8 and 9. Ms. Terway continued to discuss the criteria for the conditions of approval.

Commissioner Mabee asked about the police fee associated with the annexation.

Ms. Terway explained the annexation agreement required a fee of \$3,500 per lot to pay for police and that the fee was included with the building permit process.

Chair Kidwell called the applicant to speak.

Rick Givens, Planning Consultant for the applicant, and Bruce Goldson, Theta Engineering, discussed the data in the report related to stormwater and the suggested language to condition no. 28. The applicant preferred the suggested language be added to condition no. 28 that kept it at the staff level as opposed to requiring it be handled as a type II decision.

Mr. Givens discussed the change from R-10 to R-6 and asked if the commission had any further questions regarding the zone change.

Chair Kidwell asked if they had followed up to evaluate what the impact R-8 would have to the site.

At this time, the applicant entered into the record an updated stormwater document and maps of the site.

Mr. Givens discussed the difference between R-8 and R-6 and how zoning of R-8 would affect the site versus the requested R-6 zone and the reasons why the applicant is asking for R-6 zoning and the history behind the development of the property.

Commissioner Mabee asked for confirmation regarding zero runoff of additional stormwater. The applicant confirmed.

Chair Kidwell opened the public hearing.

Jeff Strohecker, resident of Oregon City, was concerned there was not enough existing stormwater data at the site to determine if there is an increase to the stormwater once the subdivision were to go in and expressed his concern in determining the responsible party if there is an increase in stormwater to the existing home owners in the area.

Linda Strohecker, resident of Oregon City and property owner adjacent to proposed site, expressed her concerns about traffic increase on Pease Road, the increase of water at the property and water runoff once the subdivision was built.

Christine Kosinski, resident of unincorporated Clackamas County, discussed her concerns related to water drainage and the possibility of landslides to the site.

Chair Kidwell called the applicant back to address citizen comments.

Mr. Givens, said they understood the water concerns from other homeowners in the area and stated the applicant is supportive of the conditions of approval. Mr. Givens briefly discussed the traffic report and the issue of potential landslides in proximity to the detention ponds on the site.

Commissioner Mabee, asked staff how water levels are measured.

There was discussion regarding how water levels are measured.

Chair Kidwell closed the public hearing.

Carrie Richter, City Attorney, explained the new stormwater documents which have been entered into the record by the applicant and rules related to closing the public hearing. Ms. Richter explained the Commission has two options: to leave the record open or close the record.

Mr. Konkol explained this was typical and staff has reviewed the new material and set forth condition no. 28 with staff's recommendation of approval.

Commissioner Geil discussed his concerns with traffic safety.

Ms. Terway explained condition no. 11, and the requirement of our code is to orient towards Pease.

A motion was made by Commissioner Mabee, seconded by Commissioner Espe, to approve, Planning Files ZC 12-01, TP 12-04, and US 12-01, Development of 12370 Pease Road to include conditions of approval. The motion carried by the following vote:

Aye: 5 - Paul Espe, Damon Mabee, Denyse McGriff, Robert Mahoney and Charles Kidwell

Nay: 1 - Tom Geil

[PC 13-028](#)

L 13-01: Transportation System Plan (TSP)

L 13-02: Associated Amendments to the Oregon City Municipal Code

Tony Konkol, Community Development Director, recommended in the interest of time to take public comments first.

Chair Kidwell opened the public hearing.

Bob Nelson, resident of Holly Lane, presented a map and discussed his concerns regarding landslides that have occurred in the past, possible future landslides and the cluster of water infiltration in this area if this becomes a major road. He was requesting Holly Lane be removed from the TSP.

Christine Kosinski, unincorporated Clackamas County, representing the hamlet of Beavercreek, discussed concerns to TSP upgrades to Holly Lane, residents of Holly Lane being left out of the noticing process, concerns related to landslides on Holly Lane and Hwy. 213, concerns regarding compliance of State Goals 1 and 7 and requests the City to meet with the residents of the hamlet of Beavercreek.

John Lewis, Public Works Director, explained the Beavercreek hamlet residents were invited to stakeholders meetings and that posters were placed outside Oregon City including Beavercreek.

Laura Terway, said the hamlet of Beavercreek is identified on the stakeholder team and included in emails. She explained that residents of Holly Lane were mailed a notice.

Commissioner Mahoney believes the City does a good job of noticing.

Jackie Cowell, resident of Holly Lane, explained that she did not receive a notice from the City. She was only aware because Christine Kosinski informed her and together they noticed residents of Holly Lane.

Chair Kidwell, closed the public testimony of the hearing.

Laura Terway, Planner, and Christina Robertson-Gardiner, Planner, gave a presentation on the public process for the TSP, transit, map of the regional center, work with the County on Holly Lane, and geologic hazards.

There was discussion regarding Holly Lane and it being the jurisdiction of the County.

Commissioner McGriff was concerned about geologic hazards and looking at the bigger picture.

Ms. Gardiner explained it is difficult to plan in areas outside the City without knowing if an area will be annexed into the City.

There was discussion about the TSP, geologic study, parking management plan and funding, Holly Lane, and involvement from the County. The Commission discussed whether to close the public hearing, deliberate and bring this item back to the next meeting or if there was consensus to vote on this tonight.

Commission consensus was recommendation to the City Commission to reduce the downtown area by 50% and defer 35% percent in the McLoughlin District at this time and require a geologic hazard study for any road that is developed in any hazardous zone prior to development.

A motion was made by Commissioner McGriff, seconded by Commissioner Espe, to recommend to the City Commission approval of L 13-01, Transportation System Plan (TSP) L 13-02, subject to the two recommendations by the Planning Commission. The motion carried by the following vote:

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

4. Communications

5. Adjournment

Chair Kidwell adjourned the meeting at 11:52 P.M.