



City of Oregon City

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

Meeting Minutes

Planning Commission

Monday, April 8, 2019

7:00 PM

Commission Chambers

1. Call To Order

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

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

Staffers: 4 - Kelly Reid, William Kabeiseman, John Lewis and Laura Terway

2. Public Comments

There were no public comments on non-agenda items.

3. Public Hearing

[PC 19-033](#)

GLUA-19-00001 (General Land Use Application), PARK-19-00001 (Parking Adjustment) SP-19-00007 (Site Plan and Design Review), and MP-19-00001 (Minor Partition) for 221 and 202 Molalla Avenue

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 Mahoney drove by the site occasionally. Councilor Johnson drove by the site. Commissioner Stoll drove past the site many times per week. Commissioner Schlagenhauser had been to the site many times. Commissioner Gage had driven by the site. Chair Mitchell visited the site.

Kelly Reid, Planner, presented the staff report. This was a request for a parking adjustment to exceed the maximum off-street parking allowance for the commercial building at 221 Molalla Avenue, a minor partition to divided 202 Molalla Avenue into two 5,000 square foot parcels, and a new 10-space parking lot on proposed Parcel 1 with access from Myrtle Street. She disclosed that the Planning Department used to be located at this location. There were 101 parking spaces currently allowed based on the current retail and office mix, and the applicant was requesting approval for 107 spaces. Staff did not find that the use was extraordinary in this case, however it could be considered unique because the building had mixed uses within it. Staff found the parking adjustment was appropriate as additional spaces could be converted to retail and greater parking would be needed. Staff recommended approval with conditions. She pointed out an error in Condition #2.

Commissioner Geil arrived at 7:20 PM. He had no conflicts of interest, ex parte contacts, bias, or statements to declare and he had not visited the site.

There was discussion regarding the reasons for the maximum number of spaces.

Michael Robinson and Perish Burns, representing the applicant, gave a site context, explained what was being proposed on the site, and discussed how the applications complied with the standards and approval criteria. Public outreach was presented to the Barclay Hills Neighborhood Association and there were no objections. They agreed with the staff report recommendations and conditions with the exception of Conditions #15 and #22. The concern with Condition #15 was that it would require the applicant to underground all of the overhead lines on Molalla Avenue. That had been clarified to only be from the service line from the overhead utility lines to the house. The concern with Condition #22 was the third easement requirement which was a future condition and they did not have an obligation to record that easement now in order to comply. There was also concern about the second easement for vehicular reciprocal access between proposed Parcel 1 and 2. The easement could preclude the redevelopment of the Parcel 2 since the easement would run with the property, and it needed to be written in a way that allowed modification or termination.

There was discussion regarding the undergrounding of the power lines.

Mr. Robinson requested removal of Condition #15 as the best time to require the undergrounding would be the redevelopment of the house.

Tracy Hamlet, resident of Oregon City, owned properties around the subject site. She was concerned about people driving through her parking lot to get to the new parking lot. She thought a barrier on the south property line should be required. She also thought the proposed parking lot should have lights for safety.

Donna Sellman-Pilorget, real estate agent, had an interested buyer for this property, but was told that it could not be purchased right now because of the minor partition process. Parcel 2 would not be used as a residence with her buyer, but for light retail. She asked about the parking for that lot.

Bill Kabeiseman, City Attorney, stated the fact that some people's opinion this would limit the uses of Parcel 2 in the future did not mean the application did not meet the criteria.

Elizabeth Lewis, resident of Oregon City, questioned if there was legally enough room for a car to access Parcel 2 and not trespass on Ms. Hamlet's property. She asked for clarification on the temporary barrier and the required future easement.

Staff clarified these issues.

The Commission took a short break.

Mr. Robinson provided rebuttal. The applicant was comfortable with Condition #22 as it was written. Regarding Condition #15, he suggested changing the condition to say undergrounding the service line was required when the use changed from a single family residential use or the property was redeveloped. The parking lot would be used for employees, not visitors. He did not think there would be a reason for them to drive through someone else's parking lot and they could not put a barrier on the common property line as it would block the access to the driveway. A possible buyer and use for Parcel 2 was not part of the approval criteria. The partition did not change the access to the parcels. If lighting was put in the parking lot, it would encourage people

to use it in the evening who were not employees. Ms. Burns clarified the asphalt paving area that had been utilized for parking for the house would remain with the land division as proposed.

Ms. Terway said staff requested a continuance of the hearing to provide additional information on the cost of the overhead utility lines.

Mr. Robinson clarified the applicant wanted to be able to construct and use the parking lot before the undergrounding was done. If that was allowed, then he would withdraw the objection to Condition #15.

Mr. Kabeiseman clarified the applicant could construct the parking lot and use it and not underground the utilities for up to two years when the final plat was recorded. Parcel 2 could not change use or ownership without the undergrounding.

Ms. Terway said staff withdrew the request for continuance.

Chair Mitchell closed the public hearing.

The Commission deliberated on the merits of the application and how they were in support.

Commissioner Geil was concerned about the lighting and proposed divisions.

A motion was made by Commissioner Mahoney, seconded by Commissioner Gage, to approve GLUA-19-00001 (General Land Use Application), PARK-19-00001 (Parking Adjustment) SP-19-00007 (Site Plan and Design Review), and MP-19-00001 (Minor Partition) for 221 and 202 Molalla Avenue with the conditions as written except the amendment to Condition #2. The motion carried by the following vote:

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

Abstain: 1 - Tom Geil

4. Adjournment

Chair Mitchell adjourned the meeting at 9:00 PM.