



City of Oregon City

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

Meeting Minutes Planning Commission

Monday, April 8, 2013

7:00 PM

Commission Chambers

1. Call To Order

Chair Kidwell called the meeting to order at 7:06 PM.

Present: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

Staffers: 5 - Tony Konkol, Carrie Richter, Laura Terway, Christina Robertson-Gardiner and John Lewis

3. Public Comments

There were no public comments.

4. Public Hearing

[PC 13-027](#)

Pavilion Park 2: Request for an 11-Lot Subdivision, Zone Change and Geologic Hazards review.

Chair Kidwell reopened the public hearing.

Laura Terway, Planner, stated the applicant was requesting a continuance to April 22, 2013, to address concerns about storm water.

Tracy Owens, resident of Oregon City, lived across the street from the property. Her concern was about the smaller size lots which added more cars to the area and caused a safety issue. She had young children and there was already a problem with speeding. There were also issues with water drainage.

Linda Stroehecker, resident of Oregon City, lived adjacent to the property. She appreciated that City staff had come to look at the problems on her property that she discussed at the last public hearing on this application. She was concerned about chemicals in the water that ended up dumping onto her property. Regarding the rezoning to an R-6, the more houses that went up around her the more sunlight was blocked from her property in the backyard which kept it damper with the water.

Commissioner Geil was concerned about the driveways going onto Pease Road and suggested putting in a side road instead.

A motion was made by Commissioner McGriff, seconded by Commissioner Espe, to continue TP 12-04, with public comment to remain open, to April 22, 2013. The motion carried by the following vote:

Aye: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

[PC 13-026](#)

Clackamas County Red Soils Master Plan: Planning Files CP 12-01 and DP

12-01.

Chair Kidwell reopened the public hearing. He read the hearing statement describing the hearing format and correct process for participation. He asked if the Commission had any ex parte contact, conflict of interest, bias, or statements to declare.

Commissioner McGriff spoke with the County's representative for clarification on the proposed iron fence.

Commissioner Mabee visited the site.

Chair Kidwell was familiar with the site and had been to the site on several occasions.

Ms. Terway presented the staff report. She explained the subject site in the Redsoils campus off of Beavercreek Road owned by Clackamas County and adjacent properties, master plan amendment to include the Silver Oak site for the Sheriff's evidentiary storage facility, Detailed Development Plan, revision to the 12 foot chain link fence to an 8 foot wrought iron fence, landscape mitigation, and Oregon City Municipal Code adjustments. Staff recommended the applicant have three months after occupying the Silver Oak facility to complete all of the construction before occupying it for evidentiary storage use. The building could be used for office without any approval from the Planning Commission. Staff recommended approval with conditions.

Becky Epstein, SERA Architects, and Kevin Poppin, Clackamas County Sheriff's Department, were the applicants.

Commissioner Mahoney disclosed he was the next door neighbor of Mr. Poppin.

Ms. Epstein said there would be other tenants in the building, not just the Sheriff's department. The State's court records facility and emergency management would also use the building. She explained the wrought iron fence proposed and passed around a sample.

Mr. Poppin said the storage of evidence was vitally important and discussed how this site would have daytime shifts instead of 24 hour shifts and security was a concern. The fencing would not provide guarantees that there would not be a breaching of security, but it would provide additional deterrant as one of the security measures in place.

Commissioner Mabee was concerned about children running into the fence since the park was nearby.

Ms. Epstein said the colors for the fence would be black for the infill material and the columns would be painted the same color as the building. They could occupy the building now for office and other storage, but when evidence and State court records went in they would need the fence to be up.

Mr. Poppin said there would be many security measures and a monitoring system for the building.

William Gifford, resident of Oregon City, was the Land Use Chair for the Hillendale Neighborhood Association. He thanked the applicant for their response to the neighborhood's concern about the fence. He thought it would provide the security needed and with the additional landscaping in front of it, it would be adequate for the neighborhood. He asked about the conditions of approval regarding replacing

existing fencing that did not specify the material for the fencing.

Ms. Terway said it did not specify material because the applicant did not propose any adjustments and it would have to be a permitted material either in the current Code or the Code that was in place when the master plan was approved in 2005. Chain link was a permitted material in 2005.

Mr. Gifford asked if landscaping included fencing? Ms. Terway said all development proposed had to be completed within three months which would include the landscaping and fence.

Mr. Gifford clarified the fence columns would be every 48 feet. He discussed buildings 11 and 12 which were for retail and office, were those the areas not to be considered for a library? The County had said no to the City purchasing property here for a new library and he did not see any footprint that would not be eligible for a library. He asked the applicant if they would look at the possibility again.

Ms. Epstein stated the court records was going to move into the building in May/June of this year and would already be in place before the evidence area. Regarding the library, it was not a conforming use on the site.

Tony Konkol, Community Development Director, said the library was not included in the original master plan that was approved. Those two buildings were later phases of the whole master plan. There was no discussion regarding putting a City facility on the County property at the time the master plan was approved. The master plan could be amended to include a library if there were negotiations in the future.

Chair Kidwell closed the public hearing.

A motion was made by Commissioner Mabee, seconded by Commissioner Henkin, to approve CP 12-01 and DP 12-01. The motion carried by the following vote:

Aye: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

[PC 13-028](#)

L 13-01: Transportation System Plan (TSP)

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

Chair Kidwell reopened the public hearing.

Christina Robertson-Gardiner, Planner, and Ms. Terway presented the staff report. Ms. Terway gave an overview of the Transportation System Plan update. She entered the PowerPoint presentation and public comments received on the website into the record.

Ms. Robertson-Gardiner gave an update on the parking code amendments. Two districts would be created, a McLoughlin Commercial Overlay District and Downtown Parking Overlay District. She entered the revised parking overlay map into the record to extend the Downtown Overlay to the Amtrak station. She discussed a letter from Rick Williams of Rick Williams Consulting who did the parking study for downtown. Mr. Williams looked at the proposed changes and he not only supported the changes, but also suggested to continually work with the City Commission, Code Enforcement, and parking management to keep on the pulse of how to actively manage the existing on street parking. She discussed what a 25% reduction would look like for the McLoughlin District as opposed to the 35% and what the 50% reduction for the Downtown District would look like. She then discussed the parking management for how they could be enforced. She explained these districts were for

new development for off street parking.

There was discussion regarding concerns about the parking proposal and clarifying the letter from Mr. Williams.

Commissioner McGriff was concerned about people parking in the McLoughlin neighborhood and suggested a neighborhood parking management plan before approval of the proposed change in McLoughlin.

John Ripplinger of Ripplinger and Associates gave an update on mobility standards. He discussed the shift to a volume to capacity ratio to determine the performance of an intersection and the increased congestion it would allow. There would be no performance standard applicable for minor streets. There would be more congestion than there was today during peak hours. The proposed recommendation was: where they were obligated to apply the Regional Transportation Plan within the regional center and designated arterials and corridors, the City would apply the volume to capacity ratio. For those entirely within the City's jurisdiction, the level of service standard would be retained.

Commissioner Mabee pointed out the boundary of the regional center was not adopted by the City and was something that needed to be done moving forward.

Mr. Ripplinger said they would be abandoning the am peak hour as a performance area to be analyzed and would need to change the Code language and traffic impact study guidelines to match what was adopted. The highest and second highest of the peak hours would be analyzed, which were typically the pm peak hours.

Ms. Terway said four intersections would not meet the mobility standards and were State facilities. Staff proposed to look at these four intersections in greater detail.

Gail Curtis of ODOT said the Highway Commission had recognized the problem with these intersections and had developed policy language that allowed for an alternative mobility standard. This was a region wide problem and it was possible there would be a region solution. She recommended adopting the TSP with the recommendations of staff and agree to a refinement plan effort for these State facilities that would not meet the current mobility standards in 2035. They could not build their way out of the problem and it was a balancing act between the local and State interest. The State was committed to working with the City and would help look for funding opportunities.

There was discussion regarding how the lack of capacity would affect development and the need for a refinement plan.

Ms. Terway then discussed the concerns regarding development of Holly Lane. Mr. Konkol explained what was meant by urban and rural reserve areas, Urban Growth Boundary, and City limits.

Ms. Terway said part of Holly Lane had been planned through the Park Place Concept Plan, but no planning had been done for the part outside of the Urban Growth Boundary and City limits. She said the question was how would it develop over time, was the City on the same page as the County, and how did it work with the TSP to the year 2035. Both the City and County designated the road as a minor arterial, but the County would have a rural minor arterial standard and the City would have an urban minor arterial standard. For all of Holly Lane to develop to City standards, the street would have to have a concept plan and come into the Urban Growth Boundary and be annexed.

Carl Springer, DKS and Associates, discussed the projects proposed for Holly Lane including sidewalks and better pedestrian facilities and the funding.

Paul Edgar, resident of Oregon City and representing the Citizens Involvement Council, discussed the downtown parking issue. The Clackamas County Courthouse was used by the whole county, people did not usually have a choice to come, and one in five were legally handicapped. There was no parking for the people coming to the Courthouse or the employees of the Courthouse and they wanted to reduce parking further. Tri-Met was reducing bus service and there were no handicapped parking spots downtown.

Bob Nelson, resident of unincorporated Clackamas County, submitted a letter into the record as Exhibit 2. He lived on Holly Lane and thought this would degrade the lifestyle of the current residents and increase the potential for traffic, safety hazards, and landslides. If the City upgraded the road to urban standards, 50 homes would be destroyed. He requested Holly Lane be taken out of the TSP, to stop putting more traffic on Holly Lane with other roads leading to it, and to work with the County to develop a good, viable alternative system.

Wendy Nelson, resident of unincorporated Clackamas County, submitted a letter into the record as Exhibit 3. She lived on Holly Lane and thought this fragile neighborhood needed to be protected. Increased construction and traffic would aggravate the known landslides in the area. There was already too much traffic on Holly Lane and it was too fast. It was a major route for school buses and she questioned the safety of the children. If the road did come into the City and was improved, the road would come 24 inches within her house.

Kristi Byer, resident of unincorporated Clackamas County, submitted a letter into the record as Exhibit 4. She lived on Holly Lane. Holly Lane was a narrow two lane road with no shoulder and deep ditches. It had severely limited sight distance and there had been numerous accidents due to speed and traffic flow. There were pedestrians on the road as well. Since the development on Maple Lane, the number of average daily trips had increased. She suggested checking again to make sure Holly Lane traffic was not surpassing what was originally predicted by the development and school. The County had reduced the speed to 40 mph and improved a sharp curve, yet the City had not improved conditions on their boundary. Newell Creek Canyon was a protected wetlands and there would be impacts if Holly Lane was improved. The TSP was lacking in very important data and she requested the Commission answer the questions presented before moving forward with the TSP.

Jackie Calwell, resident of unincorporated Clackamas County, lived on Holly Lane. She thought it was inconsiderate of Oregon City to plan changes to Holly Lane without consideration of the impact those changes would have on the residents on Holly Lane. Those changes would adversely affect the quality of life on Holly Lane. The increase in traffic would substantially affect them.

Christine Kosinski, resident of unincorporated Clackamas County, submitted a handout into the record as Exhibit 5. She was on the hamlet of Beavercreek board and read a letter from the hamlet. Most of Holly Lane was in the boundaries of the hamlet, yet there was no representative on the City's transportation committee from the hamlet of Beavercreek to represent their concerns. The City had not addressed the speeding on Holly Lane or discussed the dramatic impacts the proposed changes would have on the hamlet of Beavercreek. The extension of Holly to Henrici was based on a concept plan that had not been approved. The hamlet of Beavercreek voted for denial of the proposed changes to the TSP based upon the lack of safety.

Ms. Konsinski then read a portion of a letter she had written regarding the landslides in the area which could not be mitigated. She explained the landslide map she provided to the Commission and the effects of widening Holly Lane. A new north/south connector needed to be created. She requested keeping the hearing open until the DOGAMI susceptibility maps were released in May and a complete geologic study was performed for the entire length of Holly Lane and the proposed extension of Holly Lane to Holcomb. She did not think a decision on the TSP could be made without this new information. The two biggest threats to Holly Lane were landslides and safety. She thought the City was liable for anyone who might be hurt on Holly Lane due to the increased traffic and speeds.

Kevin Manning, resident of Clackamas County, lived on Holly Lane. Widening Holly Lane and putting in sidewalks would make him lose his front yard, he may be forced to hook up to City sewer, and backing out into more traffic would be a problem. Currently the livability was excellent and he had invested a lot of money into his house. Now he thought he might not want to live there anymore if this was what was coming down the pike. He was behind Ms. Konsinski and her recommendations.

Donna Gates, resident on Holly Lane, lived near Redland Road and had a lot of road frontage and canyon on her property. If it had not been for filling the canyon, Holly Lane would have been washed out. If Holly Lane was enlarged, the City would have to fill in the canyon first to stabilize the road.

Leslie Fish, resident on Holly Lane, said the school buses drivers told him that they had been told to use Holly Lane and not Highway 213. There was construction at the intersection of Holly Lane and Maple Lane. The trucks far exceeded the weight limit for the bridge at the bottom of Holly Lane.

Chair Kidwell suggested keeping the record open and postponing the Commission discussion until the next meeting.

Commissioner Geil suggested adding a project D48a, which would add a natural resources evaluation with a complete geotechnical survey and wildlife impact report.

The Planning Commission was meeting in a joint Work Session with the City Commission on April 9 to discuss the hot topic issues. The parking proposals and parking management plan, Courthouse parking, Holly Lane, regional center adoption, and refinement of the mobility standards would be issues brought back to the next Planning Commission meeting on April 22.

Commissioner McGriff encouraged the residents on Holly Lane to be involved in the County's Transportation System Plan update process as well. The County would be coming to the Planning Commission in May regarding the County's TSP.

A motion was made by Commissioner Mabee, seconded by Commissioner Espe, to continue the Transportation System Plan hearing to April 22, 2013. The motion carried by the following vote:

Aye: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

5. Communications

Mr. Konkol gave an update on the Blue Heron project and stated the RFP applications were due April 15. Commissioner McGriff volunteered to serve on the RFP review board.

6. Adjournment

Chair Kidwell adjourned the meeting at 10:38 PM.