CITY OF OREGON CITY
PLANNING COMMISSION HEARING

March 14, 2011, 7:00 P.M.
City Commission Chambers - City Hall

1. CALL TO ORDER

Chair Stein called the meeting to order at 7 p.m.

Roll Call:
Chair Carter Stein
Commissioner Chris Groener
Commissioner Charles Kidwell
Commissioner Damon Mabee
Commissioner Denyse McGriff
Commissioner Paul Espe
Commissioner Zachary Henkin

Staff Present:
Tony Konkol, Community Development Director
Carrie Richter, Assistant City Attorney
Laura Terway, Assistant Planner

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

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

3. PLANNING COMMISSION HEARING

LE 10-02 (Request for Continuance): Update of the Oregon City Water Master Plan, an Ancillary Plan to the Oregon City Comprehensive Plan.

Commission Report

Water Master Plan Executive Summary

Chair Stein read the hearing statement describing the hearing format and correct process for participation. He asked if there were any declarations of ex parte contact, conflict of interest, bias, or statements. There were none.

Chair Stein opened the public hearing.

Laura Terway, Assistant Planner, requested the application be continued to May 23, 2011 to allow the applicant to address outstanding items.

Commissioner McGriff asked the reason for the delay and what the outstanding items were.

Tony Konkol, Community Development Director, stated staff would find out and forward that information to the Commission.

Motion by Commissioner Damon Mabee, second by Commissioner Charles Kidwell to to continue LE 10-02: Update of the Oregon City Water Master Plan, an Ancillary Plan to the Oregon City Comprehensive Plan, to May 23, 2011.

A roll call was taken and the motion passed with Chair Carter Stein, Commissioner Chris Groener, Commissioner Charles Kidwell, Commissioner Damon Mabee, Commissioner Denyse McGriff, Commissioner Paul Espe, Commissioner Zachary Henkin voting aye. [7:0:0]

CU 07-05 and SP 07-13 (Quasi-Judicial Hearing)

Commission Report

CP 10-03 and CU 10-03 Staff Report

Exhibit 1: Vicinity Map

Exhibit 2: Applicant?s Narrative and Site Plan and Supplemental Dated February 4, 2011

Exhibit 3: Comments Submitted by John Replinger, Replinger and Associates

Exhibit 4: Engineering Policy 00-01

Exhibit 5: Comments submitted by Stephen VanHaverbeke of the Park Place Neighborhood Association

Exhibit 6: Comments submitted by John Lewis, Public Works Operations Manager

Exhibit 7: Additional Information Submitted by the Applicant Dated March 3, 2011

Additional Information Provided by Applicant

PowerPoint Presentation

Chair Stein asked the Commission if there were any ex parte contacts or new conflicts of interest to declare since the last hearing.

Commissioner McGriff visited the site.

Commissioner Mabee attended an advisory committee meeting at the water plant where John Collins mentioned that South Fork Water Board staff took pictures as requested for massing plans.

Commissioner Henkin had driven around the neighborhood.

Ms. Terway said the applicant was the South Fork Water Board who submitted a master plan and conditional use application for the property on 15962 Hunter Avenue. She explained the concept plan and conditional use process, subject site and adjacent properties, existing development, proposed development, Oregon City Municipal Code criteria, and the six adjustments to the criteria proposed by the applicant. Staff recommended approving adjustments #1 fence height, #2 fence material, #3 pedestian accessways, and #5 design standards and to deny adjustments #4 parking lot landscaping and #6 sidewalk and street improvements. Staff recommended the Commission support the use of barbed wire to be approved by the City Manager, support the proposed parking standard, and approve the proposed development with conditions.

Ms. Terway entered the PowerPoint presentation into the record as Exhibit #1 and attachments of the Portland Code, DLCD Code, and Tigard Code as Exhibit #2.

Ben Schonberger, Consultant with Winterbrook Planning, Pete Creft, MWH Engineering, and John Collins, General Manager of South Fork Water Board, were the applicants. Mr. Schonberger stated there was no change in the use, but would be a significant expansion of the facility. They would be coming back for the detailed design of the proposal at a later time. He addressed the adjustments proposed. Regarding the street and sidewalk improvements, they were not creating significant new demand, the land had already been donated to the public right of way in 2007, and the type of improvements being made were not completely relevant to major street and sidewalk improvements. The applicant proposed a compromise with full street widening, dedication, and sidewalk on Swan and a widening of Hunter. Regarding the interior parking lot landscaping, it was a truck maneuvering area and they did not think concrete islands could be installed in that area.

Mr. Collins said it was important to note that the delivery trucks were full tractor trailer semi trucks and needed the turning radius to go around the building. He also explained the fence had no razor wire, but was six feet high with a 40 degree pitch and three strands of barbed wire. Regarding homeland security, South Fork did a risk and vulnerability assessment which addressed these issues. The fence was critical for the facility.

Ms. Terway explained the reasons for the recommended street improvements.

Mr. Creft showed some slides of the location and bulk of the proposed buildings.

Commissioner Henkin thought the fence should be a uniform color and design.

Chair Stein asked about the location of the fence.

Ms. Terway said it was unknown if the fence would need to be replaced at this time. The improvements would be over a 20 year period. She also explained the applicant may be able to meet the interior parking lot landscaping requirement and get the mobility they were looking for.

Commissioner McGriff discussed the need for adequate parking and dilineating the areas for employee parking and trucks. She asked about the lots and Ms. Terway clarified that the lot was not partitioned, but had two tax lots owned by the same owner. She supported staff's recommendation regarding the fence but did not support vinyl as a material.

Commissioner Mabee was glad that the view for property owners on Thurman would not be impacted. He thought there might be a way to allow for parking area planters and he was not leaning towards approving the adjustment to the interior parking lot landscaping.

Chair Stein clarified the conditional use was due to the increase of the intensity and capacity of the site.

Commissioner McGriff thought a 20 year time frame was not an unreasonable time frame to take care of some of the issues that would make it a better, more attractive, and more productive neighbor.

Chair Stein asked for further public comment. There was none.

Mr. Schonberger thought it was a reasonable request to waive the interior parking lot landscaping requirement. It might be possible to design around it, but if it wasn't, they would have to come back to the Planning Commission because it would be a change to the master plan. In that case he asked if it could be a Type 2 adjustment process.

Chair Stein closed the public hearing.

Mr. Konkol said to have a Type 2 approval, the applicant would need to turn in an internal movment and circulation study.

Carrie Richter, Assistant City Attorney, clarified the Commission wanted to identify the standards now so there would not be discretion later.

Chair Stein discussed the proposed adjustments one by one.

There was consensus to approve staff recommendation for adjustment 1.

The following was discussed for adjustment 2: Commissioner Henkin preferred that it be stated there would be continuity per side of the fence, but either black vinyl or coating was acceptable. Commissioner Kidwell thought black vinyl was not good for longevity and for replacement it should be limited to the damaged area and not replace the entire side. Commissioner Espe had no comments on the fence. Commissioner Mabee agreed about the coating over vinyl. Commissioner McGriff thought they should go with powder coated, but chain link and barbed wire was fine. Commissioner Groener agreed with chain link and concurred vinyl could be a problem. Also regarding replacement, he thought the language that currently existed to replace as needed but not the whole side was reasonable. Chair Stein suggested to put on staff's work plan to find an alternative to chain link for these types of institutional applications that required security fencing. He did not have a problem with the chain link in this instance. There was consensus to strike the word vinyl from the conditon of approval and keep black powder coating.

The Commission concurred with staff recommendation for adjustment 3.

Regarding adjustment 4, Commissioner Henkin did not think islands should be placed in a parking lot with regular deliveries. Chair Stein said staff was working on the wording of a condition of approval for the applicant to have a traffic study or internal circulation study of the site so the Community Development Director could make the decision. Commissioner McGriff wanted to make sure the perimeter landscaping was still required.

The Commission concurred with staff recommendation for adjustment 5.

For adjustment 6, Commissioner Henkin agreed with the staff recommendation of adding sidewalks all the way around the property. Commissioner Kidwell favored the applicant's proposal. Commissioner Espe proposed a meandering asphalt pathway instead of sidewalks. Commissioner Mabee agreed with the staff recommenation on the Swan and Hunter side but agreed with applicant on the Thurman side. Commissioner McGriff agreed with the staff recommendation. Commissioner Groener was in agreement with Commissioner Mabee that the sidewalk on Thurman was not needed and would be a safety deterrant. Chair Stein agreed with staff's recommendation as there was development in the neighborhood and they all had to meet the same standard. He thought the meandering pathway would only work if the perimeter fencing could be moved back.

The Commission concurred with staff recommendation for City Manager approval of the barb wire fence and the parking standards for the number of parking stalls.

Ms. Richter stated Condition 22 relating to the interior parking that could not be accommodated because of truck circulation would read as follows: as part of the detail design review the applicant shall submit a truck circulation plan and based on that plan if interior parking lot landscaping could not be accommodated the applicant shall be required to locate the remaining 10% interior landscaping which could not be accommodated wthin the parking lot somewhere on the site.

Commissioner McGriff suggested the landscaping be adjacent to the parking area.

Commissioner Mabee suggested changing it to the applicant may submit a study to make sure it would not be required if they found islands could be put in.

The condition was changed to say the interior landscaping which could not be accomodated within the parkng lot would be placed in close proximity to the lot.

Regarding adjustment 6, there was discussion regading Commissioner Espe's proposal for a meandering pathway. The Commission liked the idea, but did not think it was a feasible option.

The Commission discussed Commissioner Mabee's proposal to accept staff recommendation for Hunter and Swan and the applicant's proposal for Thurman. Chair Stein said at the detailed development process if it was found there was not room for sidewalks, then they could ask for the adjustment. He did not think it should be given up on a 20 year concept plan. Commissioner Groener changed his position and agreed with Chair Stein. There was a majority of the Commission to approve staff's recommendation for adjustment 6.

Mr. Konkol thought there would be enough room to get the half street improvement in. He thought there should be a condition added to allow the Community Development Director to work with the applicant and city engineer to come up with an alternative street design on these streets.

Ms. Richter said a second sentence could be added to Condition 3 stating the Community Development Director may work with the applicant to relocate the improvements within the right of way identified.

Ms. McGriff encouraged South Fork to give the Planning Commission a yearly update.

Motion by Commissioner Denyse McGriff, second by Commissioner Damon Mabee to to approve CU 10-03 and CP 10-03 Conditional Use and Concept (General) Plan for the South Fork Water Board with conditions as proposed by staff and conditions 3, 12, and 22 as amended.

A roll call was taken and the motion passed with Chair Carter Stein, Commissioner Chris Groener, Commissioner Charles Kidwell, Commissioner Damon Mabee, Commissioner Denyse McGriff, Commissioner Paul Espe, Commissioner Zachary Henkin voting aye. [7:0:0]

4. Community Development Director Update

Mr. Konkol stated the Planning Commission would discuss goals and objectives at the next meeting. He updated the Commission on the following projects: the South End Concept Plan, Natural Resource Committee, street trees and sidewalk replacement, TSP update, downtown circulation study, and historic inventory.

5. ADJOURN

Chair Stein adjourned the meeting at 9:14 p.m.