

**CITY OF OREGON CITY
PLANNING COMMISSION HEARING**

February 8, 2010, 07:00 P.M.
City Commission Chambers - City Hall

1. CALL TO ORDER

Roll Call:

Chair Tim Powell
Commissioner Dan Lajoie
Commissioner Carter Stein
Commissioner Chris Groener

Staff Present:

Tony Konkol, Senior Planner
Laura Butler, Assistant Planner
Pete Walter, Associate Planner

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

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

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

4. PLANNING COMMISSION HEARINGS

AN 09-02. The applicant is requesting approval of an annexation of eight properties totalling approximately 53 acres. Recommend approval of the proposed annexation and to set the election for May 18, 2010 to the City Commission for their consideration at the February 17, 2010 public hearing.

Commission Report

AN 09-02 2.8.10 PC Memo

Exhibit 1

Exhibit 2

Exhibit 3

Exhibit 4

Exhibit 5

Exhibit 6

Exhibit 7 CRW Comments

Exhibit 8 Mike Mueller

Exhibit 9 Paul Edgar

Exhibit 10 PPNA Comments

Chair Powell asked if there was any additional conflict of interest or bias to declare. Commissioner Stein declared an ex parte contact as the secretary of the Park Place Neighborhood Association and the Association had submitted Exhibit 10. He felt capable of rendering a decision on this annexation.

Pete Walter, Associate Planner, discussed the outstanding issues of this application. One was the concerns from the Park Place Neighborhood Association in respect to compliance with the Transportation Planning Rule, flooding and storm concerns on Redland Road and Abernethy Creek, and if the Rivers development was taken into account during preparation of the Transportation Impact Analysis. Redland Road did flood up to the Holly Lane Bridge during a 100 year flood event, and while access to 213 from Holcomb Boulevard was cut off during the 1996 flood, the access to 213 from Clackamas River Drive was maintained. Staff met with the adjacent neighbor, the Townsends, in regard to drainage, flooding, water run off, wildlife habitat, and geotechnical concerns. He did not know if they were in support or against the proposal but were provided all of the needed information. Approximately half of the area in the Park Place Concept Plan was designated as sensitive habitat or geologic overlay zone and would fall under these zones and development codes at the time of a development proposal. Regarding how new System Development Charges would be applied and the process for developing a proportional share analysis, staff attached Exhibits 4, 5, and 6, which explained the new rates, methodology, and analysis for SDC's. The City was working with ODOT to develop an appropriate methodology for a proportional share, and the City had developed applicable proportional share for the 213/205 corridor for developments that had been approved in the past. Regarding Clackamas River Water's concerns, staff met to discuss the Holcomb Outlook Park Place Water Agreement and there were changes to the document indicated in Exhibit 7. He discussed recently submitted exhibits 8-10. The other concerns of the Park Place Neighborhood Association regarding slopes would be discussed when the site specific development plan was proposed. Regarding the request to reduce the density of housing in this area, there was not a conflict with the Park Place Concept Plan regarding density. He also discussed the capacity of the 213/205 interchange particularly the approach to the 213 corridor from the Redland Road interchange. The applicant was not proposing any development or rezoning and wanted to annex eight tax lots with five existing homes. Subsequent to a rezoning proposal, the applicant would need to show compliance with the Transportation Planning Rule.

Commissioner Stein clarified the list of projects in the Park Place Concept Plan were included in the SDC list. Tony Konkol, Community Development

Director, explained it was for future federal funding for major projects on the state highway system to create a local match.

Kirsten VanLoo of Emerio Design said staff had resolved issues from Clackamas River Water and the Park Place Neighborhood Association. The majority of the Association's concern related to the decisions made as part of the Park Place Concept Plan. The last issue in the Association's letter was a lot of capital expenditures needed to be made to fix 213 and staff had addressed how they would be funded. The density, topography, site, soils, and drainage analysis for the annexation area would be addressed at the time of development review. They still had to go through a zone change process as well. This was just the first step and they needed to move forward with the annexation.

Chair Powell reopened the public hearing and asked for any public comment.

Kent Ziegler of Clackamas County thanked staff for answering questions of Clackamas River Water. He agreed the ultimate fix on 213/205 was beyond the scope of the homes they proposed to do in the Park Place Area. They were in discussions with ODOT and any other stakeholders to find a proportionality solution to submit their fair share. He explained why this annexation made sense especially due to health and safety issues and a failing water system in the area. He submitted a letter into the record dated January 27, 2010 from the Oregon City Public Works Department which discussed the water system problems. He thought they could put a permanent water line through this development that they could help fund. He requested approval of the annexation application. They would come back for zoning change and phasing development approvals.

George Thomas of unincorporated Clackamas County said he was in favor of the annexation because of the flooding issues that made it difficult for emergency vehicles to reach the homes on Livesay Road as well as residents getting out to get needed medical supplies. He explained his own experience with this when he had a heart attack. There were several elderly people living on the road. He would like a new roadway put in if at all possible.

Mr. Konkol submitted Exhibits 7-10 into the record. Exhibit 11 was a letter submitted by Christine Kosinski dated February 8, 2010 and Exhibit 12 would be the Oregon City Public Works letter dated January 27, 2010.

Tom Geil, Park Place Neighborhood Association Vice-Chair, said it was critical to improve Redland Road as part of this development. He read from the letter from the Park Place Neighborhood Association regarding transportation impacts and the need for serious discussions for concrete solutions to the overwhelming existing traffic problems faced by the Park Place neighborhood. Because of these issues, the Neighborhood Association did not feel they could support annexations intended for the intensive development called for in the Concept Plan. Not all the people who lived in Park Place agreed with the Concept Plan and citizens were nervous about annexations and what it meant to them.

Christine Kosinski of unincorporated Clackamas County said they had been told the applicant was asking only to annex the 53 acres at this time

and not seeking approval to develop. Why then in a letter dated January 25, 2010 sent to the Planning Commission from Planning and Land Design LLC state that the applicant was requesting R5 zoning for the first phase to allow construction in summer of 2010. She said the cumulative traffic impacts for residential and commercial development should be taken into account. Before the City proposed any development for this region, a master regional transportation plan needed to be developed and a financial plan must be put into place to ensure funding was available. The Holly Lane Bridge would be closed for one month in the summer of 2010.

Mr. Konkol said the City was not pushing development. To get a zone change, the applicant would have to comply with the Transportation Planning Rule and he explained what they would need to do to comply. The transportation impacts came from the trips through an extensive main State highway system that served a greater part of Clackamas County. They were trying to address this problem through the SDC's. They would see this again through zone change application and development review and these issues would be addressed at that time.

Ms. VanLoo said in Oregon they had developed a process of land use planning that was renowned. They needed to move forward to implement the work that had been done before. The voters would decide and if they were successful, the proper analysis would be done.

Chair Powell closed the public hearing.

Commissioner Stein had participated in developing the Park Place Concept Plan. All of the issues had been addressed in the Plan and he thought it was a good Plan. It was time to move forward.

Commissioner LaJoie said the Park Place Concept Plan represented the first step in the process and all of the pieces were there. He agreed with the Plan and this piece at the north end was critical for access.

Commissioner Groener agreed and thanked staff for the citizen education for how land use planning worked. He thought the process worked and there would be a time for the level of detail that was needed. He knew the applicant's dedication to the community. He was in support of annexation.

Chair Powell said it was premature to ask the applicant to do more work than what they had already done and he applauded them for the work that had been done. All the concerns would carry on to the development process and would need to be resolved. The Concept Plan process was well done and he was impressed with the outcome. The planning Commission's role was to determine this particular five house annexation and he supported moving this forward to the City Commission for a vote of the public.

Motion by Commissioner Chris Groener, second by Commissioner Carter Stein to to recommend approval of AN 09-02 and to set the election for May 18, 2010 to the City Commission for their consideration at the February 17, 2010 public hearing.

A roll call was taken and the motion passed with Chair Tim Powell, Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner

Chris Groener voting aye. [4:0:0]

L 08-01 6 Month Code Update

L 08-01 Commission Report

Mr. Konkol requested a continuance of this hearing to the February 22, 2010 Planning Commission meeting.

Chair Powell asked for public comment. There was none.

Motion by Commissioner Chris Groener, second by Commissioner Carter Stein to to continue the hearing to the February 22, 2010 Planning Commission meeting.

A roll call was taken and the motion passed with Chair Tim Powell, Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Chris Groener voting aye and Commissioner Allan Dunn abstained. [4:0:1]

INFORMATION

2009 Planning Applications

Commission Report

Land Use Applications

Mr. Konkol gave the Commission a summary of the last 7 to 10 years of planning applications that had been submitted to the City. It showed the extent of the recession in terms of building lots. He thought things would pick up again in 2011. He emphasized Nancy Kraushaar, City Engineer and Public Works Director, worked closely with the State and Metro to address the regional transportation issues. Oregon City was the main route in Clackamas County to reach the metropolitan area and there were many issues to address. Improvements that were made were not only for Oregon City, but for the region and there were equity issues as well.

Chair Powell said public education was key to help people understand how the process worked.

Mr. Konkol also gave an update on the Operations Center and the efforts to maintain or preserve as much of the basalt outcropping as possible. He discussed the status of the Beavercreek Concept Plan which was remanded back to the City Commission.

ADJOURN

Chair Powell adjourned the meeting at 8:40 p.m.