



City of Oregon City

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

Meeting Minutes - Final Planning Commission

Monday, January 27, 2014

7:00 PM

Commission Chambers

1. Call to Order

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

Present: 5 - Paul Espe, Denyse McGriff, Charles Kidwell, Tom Geil and Robert Mahoney

Absent: 2 - Zachary Henkin and Damon Mabee

Staffers: 2 - Tony Konkol and Pete Walter

2. Public Comments

There were no public comments.

3. Public Hearing

3a. [PC 14-005](#)

ZC 13-02: Zone Change Adjacent to Woodlawn Avenue.

Chair Kidwell opened the public hearing. He explained both hearings that night were quasi judicial hearings and reviewed the process for participation. He asked if the Commission had any ex parte contact, conflict of interest, bias, or statement to declare including a visit to the site.

Commissioner McGriff visited the site.

Commissioner Espe had been by the site before.

Commissioner Mahoney had also been by the site.

Chair Kidwell was familiar with the area and had driven by the area on different occasions.

Tony Konkol, Community Development Director, said at the last Planning Commission meeting, this hearing was continued for either a decision where the applicant would amend the application from a zone change from R-10 to R-8 rather than R-6 or the Commission would be moving forward with a vote on the original application. The applicant had been notified and he requested continuing the hearing to March 10, 2014.

There was no public comment.

A motion was made by Commissioner McGriff, seconded by Commissioner Geil, to continue the hearing for ZC 13-02 to March 10, 2014. The motion carried by the following vote:

Aye: 5 - Paul Espe, Denyse McGriff, Charles Kidwell, Tom Geil and Robert Mahoney

3b. [PC 14-003](#)

ZC 13-03: Zone Change from R-10 Single-Family Dwelling District to R-6 Single-Family Dwelling District

Chair Kidwell opened the public hearing. He reviewed the process for participation. He asked if the Commission had any ex parte contact, conflict of interest, bias, or statement to declare including a visit to the site.

Commissioners McGriff and Mahoney had visited the site.

Pete Walter, Planner, presented the staff report. This was a request for a zone change from R-10 to R-6 on Central Point Road. All of the properties were in the City limits. He explained the tax lots in the application and subject site and adjacent properties. It would be 18 acres total and no development was proposed at this time. His assumption was 70% of the site was developable. He discussed the Zoning Map and Comprehensive Plan Map and how the application met the zone change approval criteria and Comprehensive Plan goals and policies. He explained the exhibits in the staff report.

There was discussion regarding the trip generation report in the traffic analysis, SDCs, compatibility with the area, R-6 setbacks, need for higher density in the City, and current services vs. R-6.

Mimi Doukas, applicant, thought this zone change was appropriate because the property had sufficient infrastructure to support the higher density, it was close to the South End district and its future services and assets, it was located along a collector road that had full multi-modal possibilities, and was an efficient use of land within the Urban Growth Boundary which would delay the need for future UGB expansions and annexations. It also provided a diversity of housing and market demand was for smaller lot sizes. These parcels were part of a larger district and it was time for thoughtfully designed density. She thought the issue of compatibility needed to be addressed. Oregon City did not have a planned unit development tool that allowed treating the edges in a way that was respectful to the existing neighborhood. She thought the density could be concentrated away from the neighborhoods, but still allowing it to happen in the district. That could happen through a condition of approval on the zone change. The Commission could condition the zone change to require minimum lot sizes adjacent to the existing neighborhoods to have equivalent lot sizes. There could also be a graduated density with a portion being R-6 and some R-8. There was a finger of the Natural Resource Overlay on the site. A natural resource consultant went out and did not believe the land met the criteria. The designation would not be taken off now, but it would be part of the subdivision application.

Todd Mobley of Lancaster Engineering discussed the traffic study analysis which included the impacts of going from R-10 to R-6 and what that would look like at the end of the planning horizon in 2035 where they had to show adequacy of the transportation system. He explained the trip generation numbers which showed a net increase of 27 trips going from one density to the other during the a.m. peak hours. He then explained the mitigation for the intersection of Central Point and Warner Parrott. His findings were consistent with the City's Transportation System Plan. The mitigation was required whether the zone change occurred or not.

Chair Kidwell did not think graduated density was something the Commission could bring to the table.

Mr. Konkol said staff could look into the options and have further discussion with the applicant.

The Commission requested seeing some sketches showing how the R-6 was appropriate for the site and wanted to know what the mitigation would accomplish.

Jordan Burch, resident of Oregon City, said he moved into the area three years ago. During that time, property values had remained the same. He thought the zone change would alter the essential character of the neighborhood and negatively affect property values. It also threatened the health and safety of the Hazel Dell neighborhood and put an economic burden in the neighborhood. The change was not desired by him or the neighborhood.

Pat Ullman, resident of Oregon City, had a letter submitted into the record as Exhibit 1. She was president of the Payson Farms Homeowners Association. Regarding traffic, the zone change would bring 180 additional vehicles. She thought the Central Point and Waner Parrot intersection was dangerous entering and exiting the strip mall. On the preapplication, there was a proposed plat map. The Homeowners Association accepted the development of the property was inevitable, however they requested it not be rezoned to R-6. They were concerned about traffic safety, density, and drainage. They requested preserving the current character and aesthetics of the existing homes. There was also an expanding demographic of retiring baby boomers who needed single level homes and R-6 zoning did not allow for single level homes of any decent square footage. There were three listed R-10 stub outs, and two additional R-8 stub outs, and deviation from current zoning was extremely difficult for road placement.

Kirby Warner, resident of Oregon City, shared his concern about the traffic. He understood this area would be developed, but it did not need to be an R-6 development. He thought Central Point was inadequate currently for the traffic and this would add more.

Margaret Murphy, resident of Oregon City, addressed the safety of the children in the area and increased traffic. With the addition of a cross street, she was concerned about increased accidents especially when more children would come over to play in Payson Farms Park. She also questioned Payson Farms liability at the park with the increased amount of children who might or might not have supervision.

Kathy Hogan, resident of Oregon City, had problems getting in and out of her driveway on Central Point. Increasing the traffic would end up causing an accident. She thought if they were allowed to build R-6, that was what would go in, not a mix of housing. There were water issues for the Payson Farms residents and the park was supposed to be a private park. Traffic was going to be increased and mitigation in the South End area would not happen anytime soon. The smaller the lots, the more vehicles would be parked on the road. There was no bus service on South End, and people would be driving everywhere.

Leo Marsh, resident of Oregon City, moved into this area because of the large lots. He did not want homes built behind him two and a half stories high with five foot backyards. He did not want people looking down into his backyard. Most of the property in this area was R-10 and the residents enjoyed the size of the yards and privacy of their homes.

Tom O'Brien, resident of Oregon City and co-Chair of the Hazel Grove/Westling Farms Neighborhood Association, said there were two neighborhood meetings on

this application. One where the applicant's representative presented the application and another where one of the property owners of the application came to discuss the application. He discussed the City Commission goal of a livable community and what an R-6 neighborhood would be like. He thought the need for single level homes would be increased as time went on. The intersection of Central Point and Warner Parrott was a problem currently with traffic backing up on Central Point now. The numbers from the South End Concept Plan indicated 15% of the volume in peak p.m. hours was anticipated to go over Partlow to Central Point. That would create a traffic mess when that area was developed.

Miranda Horger, resident of Oregon City, thought R-10 was the appropriate zoning for the location as it was on the very edge of the City. She thought the concentration of density should be more in the city center, and the further out should be more rural. Changing the density would double the amount of homes that could be built. All of the Comprehensive Plan goals were met with R-10, and there would be no benefit to changing it to R-6. It would decrease the value of the neighborhood. The tiny yards would mean lots of kids in the street. It was not what people wanted, but what the developer needed. She hoped that the decision would be driven by what was good for the neighborhood, not what was good for the developer.

David Rustan, resident of Oregon City, agreed with what had been said. He would like to see what was being planned. He thought traffic would be a problem as Central Point and Warner Parrott had been a problem for years. Rezoning to R-6 would only further complicate the traffic issues.

James Elting, resident of Oregon City, was opposed to the zone change because of the surrounding neighborhood and lack of compatibility. It was not an R-6 neighborhood.

Warren Carlson, resident of Oregon City, was a gentleman farmer and had chickens, ducks, and roosters, and sometimes goats and pigs. He thought the development should be kept compatible with the area. People moved to this area for the big lots and rural character. R-6 did not belong. His property was landlocked and he used the private road from Wheeler's Tree Farm. If the land was developed and they did not keep it open, they would have to create a road into his property.

Jim Kelly, resident of Oregon City, thought R-6 would be claustrophobic and not compatible. The lots would be so small it would be hard for kids to play and would create on street parking. This area was the edge of town and was all R-10 and R-8. People came to this area and stayed for a long amount of time. An R-6 would not make a walkable community and the kids would be playing out in the streets. He thought R-6 bordered on high density as there would not be any yards, two story houses, and there was not a place to park or play for families. He thought they would go to the streets because there was no other space.

Bruce Coe, resident of Oregon City, said one of the reasons he bought his house was because of the country setting. He did not think R-6 made sense for the area. He thought R-8 would be a compromise.

Brian Zietlow, resident of Oregon City, thought the applicant's customers wanted higher density as first time home buyers. He didn't want second time home buyers, which were mostly in his area, to be discredited for having a larger lot. For the smaller homes, the garage became their storage and they had to park in the driveway or on the street. Run off from cars was the number one contaminate to City water. Because of the large lots, extra vehicles did not have to be parked on the street. They were able to use their yards for gardens, places for children to play, and

to hold family functions. R-6 housing did not accommodate growing families. It would also increase traffic. Traffic on Central Point and speeding on Partlow was already a problem.

Commissioner McGriff asked about the pictures Ms. Ullman submitted.

Ms. Ullman said the pictures showed the off-sets, fences, and dip in the road coming from Partlow to Central Point or McCord to Central Point. Visibility for turning onto Central Point was very bad in that area and the pictures went along with the petition against the application of 158 names.

Ms. Doukas was looking for feedback on how to address compatibility. Part of what she heard from the community was a passion for their homes and lots and they really loved where they lived. However they were arguing against diversity of housing type. Not everyone needed the same type of house and lot that they did. A community had to consider all of the needs. She would still like to do R-6 or a combination that allowed R-6. She requested a continuance in order to provide more satisfaction on the concerns and questions. It was a probability that there would be a homeowners association for the development. Regarding setbacks in the zones, the R-10, R-8, and R-6 had rear setbacks of 20 feet and garage setbacks of 20 feet. What changed was the side yard setbacks. In R-10 it was 18 feet, in R-8 it was 16 feet, and in R-6 it was 14 feet. The front yard setback for R-10 was 20 feet, for R-8 it was 15 feet, and in the R-6 it was 10 feet. She thought a combination would work better than only R-8. This was what her customers wanted.

Commissioner Espe suggested the applicant look at the older style subdivisions with alleys and other amenities that made neighborhoods more interesting. He also suggested aging in place style houses. These were higher end homes that folks in Oregon City might be interested in.

Mr. Coe said anytime one of the houses went for sale in the neighborhood, they sold quickly. There were people who wanted more than R-6 lots.

Commissioner Mahoney suggested the possibility of going to an R-8. He was looking for options that brought both sides together and had some agreement.

Chair Kidwell thought the parcel that was disconnected from the R-8 would be best as R-10 and the parcel that was connected to the R-8 could be appropriately R-8. It was a stretch to make them both R-6. He thought it was presumptive future planning. He would have a hard time supporting R-6 for either site, but especially for the disconnected parcel.

A motion was made by Commissioner McGriff, seconded by Commissioner Geil, to continue the hearing for ZC 13-03 to March 10, 2014. The motion carried by the following vote:

Aye: 5 - Paul Espe, Denyse McGriff, Charles Kidwell, Tom Geil and Robert Mahoney

4. Communications

Mr. Konkol reported on the partners group meeting for the Willamette Falls Legacy Project where the Master Framework Plan was discussed. There was consensus from the partners group for the direction they were heading. The champion building celebration would be held on February 6. The land use application would be submitted in the next few weeks for the first Planning Commission hearing on April 21. There would be a couple of work sessions prior to the hearing.

5. Adjournment

Chair Kidwell adjourned the meeting at 9:44 PM.