

**CITY OF OREGON CITY
PLANNING COMMISSION HEARING**

January 24, 2011, 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 Charles Kidwell
Commissioner Paul Espe
Commissioner Zachary Henkin
Commissioner Damon Mabee

Staff Present:

Tony Konkol, Senior Planner
Christina Robertson Gardiner,
Associate Planner
Pete Walter, Associate Planner
Carrie Richter, Assistant City Attorney
Laura Terway, Assistant 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.

3. VOTE FOR PLANNING COMMISSION CHAIR AND VICE CHAIR

Motion by Commissioner Dan Lajoie, second by Commissioner Charles Kidwell to to nominate Commissioner Carter Stein as Chair of the Planning Commission.

A roll call was taken and the motion passed with Chair Tim Powell, Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Charles Kidwell, Commissioner Paul Espe, Commissioner Zachary Henkin, Commissioner Damon Mabee voting aye. [7:0:0]

Motion by Commissioner Zachary Henkin, no second required to to nominate Commissioner Charles Kidwell as Vice Chair of the Planning Commission.

A roll call was taken and the motion passed with Commissioner Carter Stein, Commissioner Charles Kidwell, Commissioner Paul Espe, Commissioner Zachary Henkin, Commissioner Damon Mabee voting aye and Chair Tim Powell, Commissioner Dan Lajoie abstained. [5:0:2]

Roll Call:

Chair Carter Stein
 Commissioner Charles Kidwell
 Commissioner Paul Espe
 Commissioner Zachary Henkin
 Commissioner Damon Mabee

Staff Present:

Tony Konkol, Senior Planner
 Christina Robertson Gardiner, Associate Planner
 Pete Walter, Associate Planner
 Carrie Richter, Assistant City Attorney
 Laura Terway, Assistant Planner

4. PLANNING COMMISSION HEARING**CU 07-05 and SP 07-13 (Quasi-Judicial Hearing)**Commission Report

Request for Continuance to Feb. 14, 2011

Request for Continuance to Feb. 28, 2011

Laura Terway, Planner, stated the applicant had submitted an additional request to continue the hearing to February 28. She entered the request into the record as Exhibit 1.

Motion by Commissioner Damon Mabee, second by Commissioner Charles Kidwell to to continue CU 10-03 and CP 10-03 Conditional Use and Concept (General) Plan to the meeting of February 28, 2011.

A roll call was taken and the motion passed with Chair Carter Stein, Commissioner Charles Kidwell, Commissioner Paul Espe, Commissioner Zachary Henkin, Commissioner Damon Mabee voting aye. [5:0:0]

CD 10-01: Code Interpretation / Similar Use Determination:
The applicant is requesting approval of a Code
Interpretation / Similar Use to determine if a proposed use is
permitted at 13990 Fir Street.

CD 10-01 Commission Report

CD 10-01 Staff Report

Exhibit 1- Property Zoning Report

Exhibit 2 - Oregon City Municipal Code Chapter 17.36, ?GI? General Industrial District

Exhibit 3 - Applicant?s Submittal

Exhibit 4 - Additional Information Submitted by the Applicant

Exhibit 5 - Comments by John Replinger, Transportation Engineer

Exhibit 6 - Comments from John Lewis, Public Works Manager

Chair Stein opened the public hearing.

Commissioner Mabee recused himself from the discussion as he had been a member of a laborers union for over a decade and was still a member of their pension plan.

Carrie Richter, Assistant City Attorney, read the hearing statement describing the hearing format and correct process for participation. She asked if there were any declarations of ex parte contact, conflict of interest, bias, or statements.

Commissioner Stein visited the site.

Commissioner Espe visited the site and a long time ago processed applications for that organization as an employee of the City.

Commissioner Kidwell had no conflicts.

Commissioner Henkin had no conflicts.

Laura Terway, Planner, said this was an application for the property on 13990 First Street for use by the Oregon and Southern Idaho District Council of Laborers for a training facility. There would be a few other uses as well, which were a food bank for union members, community center for classes that supported union members, union meetings at night, and a medical facility for union members only. This would be a 60,000 square foot building and some outdoor storage and training areas outside. Staff recommended approval. She entered into the record a letter with additional information submitted by the applicant, email from John Ripplinger of Ripplinger and Associates that stated the level of traffic impact was similar to other industrial type uses, and a letter from the Public Works department identifying there were no conflicts with the application.

Dale Campbell, representing the Oregon and Southern Idaho Laborers, said there were four similar training facilities within a three mile radius of this location. He wanted the Commission to look at what they would be doing on the site as related to the industrial application. This would be a training of apprentices from all over Oregon and Southern Idaho. The start time could be modified for traffic issues. He explained the demolition training that might occur.

Chair Stein asked if there was any public testimony.

Tim Powell, resident of Oregon City, asked about the staff report regarding the Conditional Use requirements for what would be done outdoors and the noise criteria. He thought it was a good opportunity to partner with the college and City and a good regional economic opportunity.

Ms. Terway said in the General Industrial zoning designation if more than half of the business was conducted outdoors a Conditional Use Permit was required. Regarding noise, there was nuisance standards in the Code but no specific decibel level.

Mr. Campbell described the activities that would be done outdoors and how they would not exceed 50% of the building area. Regarding sound, they would be a good neighbor and were planning to build sound barriers to block loud activities from nearby residents. This building would be entirely dedicated to this use.

Chair Stein closed the public hearing.

Commissioner Espe thought the space would accommodate the use. The biggest issues were traffic and noise. The Traffic Engineer found that there would not be additional traffic generated that would impact the streets or intersections.

Commissioner Kidwell thought the use would be consistent with the industrial zone. The applicant needed to be aware of managing the traffic in that area.

Commissioner Henkin was also concerned about noise and traffic. The traffic seemed to be at a minimum unless there was a large meeting which could be planned for ahead of time. The applicant was also planning to mitigate the noise.

Commissioner Espe was concerned about future displacement of industrial use in the area. He wanted to make sure there was a safeguard for maintaining it as an industrial use.

Chair Stein thought it was a good fit for the area. The City's Traffic Engineer addressed the traffic issues. In terms of noise, there were nuisance codes and the applicant was aware of the potential for noise and was willing to mitigate. On his visit to the site there was a lot of noise from Highway 213 and the activities on the site would have to be quite noisy to be heard above the highway.

Ms. Richter explained the purpose of the General Industrial District and if they stopped doing the industrial component and just did book learning, it would be a change in use. As long as there was manufacturing it would meet the Code.

Motion by Commissioner Charles Kidwell, second by Commissioner Zachary Henkin to approve CD 10-01: Code Interpretation / Similar Use Determination as submitted.

A roll call was taken and the motion passed with Chair Carter Stein, Commissioner Charles Kidwell, Commissioner Paul Espe, Commissioner Zachary Henkin voting aye and Commissioner Damon Mabee abstained.
[4:0:1]

6. HISTORIC INVENTORY PRESENTATION

Planning Commission Report

Homeowner Notification Letter

Why Perform Historic Surveys- SHPO Powerpoint

50 and Proud of It

PC Powerpoint Historic Survey 1.24.11 Meeting

Christina Robertson Gardiner, Planner, discussed the new 2011 City-wide Historic Survey to update the existing landmarks as well as conduct a reconnaissance survey of all the other buildings in the City over 50 years old. She explained the two phases of the project, Painter Preservation and Planning who would do the work, the public outreach proposed, how the results of the survey would be used, and gave general information about historic resource surveys.

There was discussion regarding the survey and how the 4-6 buildings with high levels of integrity would be identified, the benefits to the property owner, and when alterations affected the integrity.

5. PLANNING COMMISSION TRAINING

Planning Commission Training

Ms. Richter gave Land Use 101 training to the Commission. She explained the legal limitations on decision making, types of land use review in Oregon City, quasi-judicial vs. legislative decision making, quasi-judicial hearing disclosures, impartial tribunal, public hearing procedures, public meetings and records requirements, and deliberation and the decision.

7. DIRECTOR'S REPORT

Mr. Konkol said the City Commission's goal setting would be held on January 28-29. The planning priorities proposed were the South End Concept Plan, Sign Code, and update of the TSP. The Arch Bridge was closed. The request for proposals for the Jughandle project had been sent out. The City had received money from ODOT for improvements to Main Street and a grant for pedestrian improvements to Singer Hill. There was an overabundance of platted subdivisions in the City and there was a lot of single family lots that did not have homes on them. There were very few applications coming in. The Transportation SDCs would double after January 31.

8. ADJOURNMENT

Chair Stein adjourned the meeting at 9:19 p.m.