



CITY OF OREGON CITY PLANNING COMMISSION MINUTES

Commission Chambers, Libke Public Safety Building, 1234 Linn Ave, Oregon City
Monday, January 27, 2025, at 7:00 PM

1. CALL TO ORDER AND ROLL CALL

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

Present: 5 – Chair Paul Espe, Commissioner Greg Stoll, Commissioner Bob LaSalle, Commissioner Karla Laws, Commissioner Dirk Schlagenhauser

Absent: 1 - Vice Chair Brandon Dole

Staffers: 2 - Community Development Director Aquilla Hurd-Ravich, Senior Planner Christina Robertson-Gardner, Deputy City Attorney Carrie Richter (virtual)

2. MEETING MINUTES

A. Meeting Minutes for Approval: January 13, 2025.

A motion was made by Commissioner Schlagenhauser, seconded by Commissioner LaSalle to approve the meeting minutes for January 13, 2025.

The motion carried by the following vote:

Yea: 5 - Commissioner LaSalle, Commissioner Laws, Commissioner Schlagenhauser, Commissioner Stoll, Chair Espe

Nay: 0

3. PUBLIC COMMENTS

None

4. PUBLIC HEARINGS

- A. Glua-24-00027: MAS-24-00002 (Master Plan Revision to CP 14-02) MAS-24-00010, NROD-24-00030, GEO-24-00006, WRG-24-00001 (Detailed Development Plan to build street network) 419 Main Street, Oregon City, OR 97045

Chair Espe read the quai-judicial script. He asked for Commissioners to declare any ex parte contact or conflicts of interest. The only disclosure was from Commissioner Laws regarding a recent email and attending the neighborhood association meeting. There were no questions about any of this from the public.

Deputy City Attorney Carrie Richter provided some legal commentary regarding the differences between a “legislative action” and a Quasi-judicial action” and why this file falls under the Type III Quasi-judicial review instead of legislative.

Senior Planner Christina Robertson-Gardner presented the staff report. This project was last before the Planning Commission back in 2014 associated with a zone change. This proposal is to create a framework for future site development that reflects the values of the Confederated Tribes of Grand Ronde Community of Oregon. There is an updated DDP for streets and infrastructure.

Christina covered the revision areas which included: 1) An amendment to Development Review Process, 2) Revision to Framework Plan Map, 3) Public Access/Riverwalk, 4) Retention of structures onsite; 5) transportation and 6) Modifications to fences, streets and interim parking.

There was a presentation from a team from the Confederated Tribes of Grand Ronde Community of Oregon. Kristen introduced the team and presentation. David Harrelson spoke about what this project means to the Grand Ronde community. This effort is about healing this sacred landscape while building a modern tribal village for their descendants.

Kristen acknowledged the great amount of teamwork between many groups to get this project to where it is today and to get the desired modifications information before the Planning Commission. She covered Development Goals, Public Outreach and then the modifications from the 2014 file being requested. There will be spaces on the site for cultural activities and gatherings and foremost, it will connect the land and the people back to the water. Grand Ronde cultural identity will be integrated into the design of buildings and open spaces and infrastructure. There will be lush native plantings and habitats created throughout the site.

Mark Raggett, a planner from GBD architects. They have worked to balance the space. Balancing public access and open space, balancing mixed use development in a series of uses. There will be economic development but with significant restoration to the land as well. They are looking to develop a renewed appreciation and understanding of the falls and landscape of the historic falls site.

Ben Schoenberger, plan use planner, who was involved in the 2014 plan highlighted more recent changes to the site as some of the buildings have gone away. They updated the approval process and now there is a lot more detail which falls back on what the code says and so more things are approvable at staff level with a few exceptions. It refines the timing of the riverwalk and the economic development.

Ryan Webb, engineering and planning manager for the Grand Ronde Tribe, spoke about the Detailed development plan for Block 1. There are new drawings showing the infrastructure and utilities. This will be the first new construction on the site which is exciting. They have received \$2M in congressional funds and in combination with funds the tribe has set aside, they are hoping to break ground this summer.

Commissioner asked about the tribe being accountable to other jurisdictions, such as ODOT and how that works with City codes. Response was that they have been working with ODOT about the frontage on McLoughlin Blvd and making sure that what they are doing works with ODOT and the City. Commissioner further questioned about the construction done on the site, and the response was that they are working with the City to make sure codes are met.

Commissioner asked why the 't' in tumwata is not capitalized. Response was that in the language of the tribe, the written language is all small case, so they kept it as 'tumwata village'.

Commissioner asked about timeline for the actual building construction to start. Response was there is none, but they see the construction of the streets around block one as being a catalyst.

Commissioner asked about the restoration of plants, etc. Response was that they are actively working on remediation work as they are doing restoration and clean-up work. They are looking for more funding sources and hope in the next couple of years to see more of that transformational work to be done but it is funding dependent.

Commissioner asked the materials palette in the packet. Wondering if the tribe is limited to the palette or what is to be reviewed. Senior Planner Christina responded that the palette is not clear and objective. It was included only as background discussion so the Commission and public could understand the depth and level of design that had come into play over the last couple of years. It will not be part of City review.

Public Comment #1: Sarah Thompson, Grand Ronde Tribal Member. She spoke in support of the tumwata village project.

Public Comment #2: John Lewis, Oregon City. He spoke in support of the Planning Commission reviewing this file as a quasi-judicial project. He spoke in support of the tumwata village project, and the changes being proposed.

Public Comment #3: William Gifford, Oregon City. He spoke in support of the master plan revision.

Public Comment #4: Paul Edgar, Oregon City. He spoke about concerns regarding the impact of the travel/trips on McLoughlin Blvd with this project.

Chair Espe closed the public hearing.

Chair Espe re-opened the public hearing so that the applicant could rebut any public comments.

Applicant responded in agreement to the quasi-judicial decision. They are in concurrence with the Conditions of Approval. The Conditions of Approval outlines a methodology should the trip count exceed what has been proposed. They are building less than initially proposed, so they are expecting less trips.

Chair Espe closed the public hearing.

Commissioners deliberated.

A motion was made by Commissioner LaSalle, seconded by Commissioner Schlagenhauser to approve Glua-24-00027: MAS-24-00002 (Master Plan Revision to CP 14-02) MAS-24-00010, NROD-24-00030, GEO-24-00006, WRG-24-00001 (Detailed Development Plan to build street network) 419 Main Street, Oregon City, OR 97045.

The motion carried by the following vote:

Yea: 4 - Commissioner LaSalle, Commissioner Schlagenhauser, Commissioner Stoll, Chair Espe

Abstain: 1 - Commissioner Laws

Nay: 0

B. GLUA-24-030/LEG-24-04 Flood Management Overlay District Code Amendments

Chair Espe read the legislative script. He asked for Commissioners to declare any ex parte contact or conflicts of interest. There were none.

Director of Community Development, Aquilla Hurd-Ravich, presented on behalf of Planning Manager, Pete Walter. Updating code to remain in compliance with the National Flood Insurance Program which allows property owners to receive flood insurance at a discounted rate. Development regulations are split between three departments, Building, Planning and Engineering with the Building Official being the Flood Plain Administrator.

Aquilla provided background information about FEMA getting sued by environmental groups, and they are currently going through a NEPA process. They notified cities and counties to take Pre-Implementation Compliance Measures (PICM) for development review in flood hazard areas.

We need to update the code to allow for a permit-by-permit review of new development within the 100-year Floodplain. The second step will be to adopt the relevant parts of the PICM model floodplain management ordinance by July 2025. Planning staff will be administering this permit-by-permit review. Since we are not experts in this area, we will ask consultants, David Evans and Associates, to review.

She explained “No Net Loss” which applies to floodplain storage, water quality and vegetation. Mitigation assessment goals were outlined.

Section 17.42.010, 17.42.060 and 17.42.080 are being updated. Aquilla covered the text changes and the next steps.

Commissioner asked about “Model” code from early 2020. We did not adopt that. Aquilla did an audit between the “model” code and our code and there were a few differences in definitions, etc.

Commissioner asked about this adding a cost to the developer to do the studies. FEMA is requiring the studies.

Commissioner asked about the burden of proof is on the applicant to come up with a mitigation plan. Response was that the burden of proof is on the applicant and the role of the consultant to review the plan. Deputy City Attorney also spoke to the reservation of the city staff to evaluate the quality or sufficiency of the NOAA net loss report because it is discretionary. And we can only apply clear and objective standards to housing, so we’re delegating that task to the applicant’s expert.

Commissioner asked what makes a person a qualified expert. Response was that the guidance document gives some qualification criteria through an example listed.

Public Comment #1: Ken Baysinger, Oregon City. He spoke not in opposition to what is being proposed as FEMA has not given an option. He spoke about the consequences that are going to fall out from this change.

Public Comment #2: Linda Baysinger, Oregon City. She spoke about the mapping issues and that Canemah has not ever flooded but is in the FloodPlain.

Commissioner asked about the city have a letter of map revision process. Response was that Josh Wheeler processes those and FEMA has put them on hold while this change with FEMA is happening.

Aquilla responded to the public comment that if someone came in wanting to develop and we looked at their property and it didn't show that they were in the Floodplain, they would not be subject to the Flood Hazard Overlay. Some people may have received the notice about the meeting because we mailed to everyone within 300 ft of the floodplain.

Commissioner spoke about the layers of protection. Applicant has to satisfy the City's clear and objective standards. Then there is the state level, water. Then there is FEMA. Questioned if it is up to the City to enforce the State and Federal levels of people's misdoings? Carrie responded is that it is up to what the legislation states. In this case, we need the insurance rates, so we are the sheriff.

Chair Espe closed the public hearing.

Commissioners deliberated.

A motion was made by Commissioner Schlagenhauser, seconded by Commissioner Stoll to recommend GLUA-24-030/LEG-24-04 Flood Management Overlay District Code Amendments for approval to the City Commission.

The motion carried by the following vote:

Yea: 5 - Commissioner LaSalle, Commissioner Schlagenhauser, Commissioner Stoll, Commissioner Laws, Chair Espe

Nay: 0

5. COMMUNICATIONS

- A. No meeting on February 10th, but there will be an open house for the CFEC group from 6-7:00 PM.
- B. The next meeting will be February 24th.
- C. No update on Planning Commission interviews. City Recorder's office is working on an interview assignment.
- D. We have hired a new assistant planner to replace Molly. Melissa Lopez started on January 21.

6. ADJOURNMENT

Chair Espe adjourned the meeting at 9:40 p.m.

