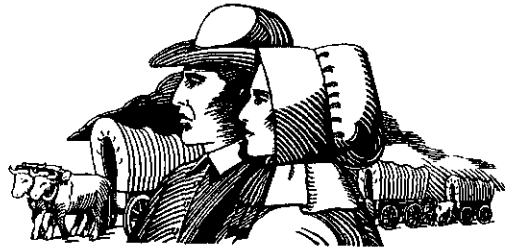


CITY OF OREGON CITY

PLANNING COMMISSION

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AGENDA

City Commission Chambers - City Hall

January 27, 2003 at 7:00 P.M.

*****Please note: The public hearing for the following planning files: SP 02-09, ZC 02-01, ZC 02-02, PZ 02-01, PZ 02-02, WR 02-12 for the proposed Wal-Mart retail development on Molalla Avenue has been re-noticed for the public hearing date of February 24, 2003. No public testimony will be taken at the January 27, 2003 Planning Commission Meeting.*****

PLANNING COMMISSION MEETING

- 7:00 p.m. 1. **CALL TO ORDER**
- 7:05 p.m. 2. **PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**
Outdoor Lighting Ordinance: Sha Spady letter dated December 27, 2002.
- 7:10 p.m. 3. **APPROVAL OF MINUTES:** *December 9, 2002*
- 7:15 p.m. 4. **HEARINGS:**
VR 02-10 (*Request for a Continuance to February 10, 2003*); Great American Development: Joe Spaziani; Request for a continuance of the Planning Commission Hearing for a Variance to increase the maximum cul-de-sac length by 50 feet for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.
- 7:20 p.m. **ZC 02-03** (*Quasi-Judicial Hearing*); Great American Development: Joe Spaziani; Request for a Zone Change from R-10 Single-Family Residential to R-8 Single-Family Residential for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.
- 8:00 p.m. 5. **NEW BUSINESS:**
- 8:05 p.m. 6. **ADJOURN**

NOTE: HEARING TIMES AS NOTED ABOVE ARE TENTATIVE. FOR SPECIAL ASSISTANCE DUE TO DISABILITY, PLEASE CALL CITY HALL, 657-0891, 48 HOURS PRIOR TO MEETING DATE.

**CITY OF OREGON CITY
PLANNING COMMISSION MINUTES
January 27, 2003**

COMMISSIONERS PRESENT

Chairperson Carter
Commissioner Lajoie
Commissioner Main
Commissioner Orzen

STAFF PRESENT

Dan Drentlaw, Planning Director
William Kabeiseman, City Attorney
Tony Konkol, Associate Planner
Pat Johnson, Recording Secretary

COMMISSIONERS ABSENT

Commissioner Mengelberg

1. CALL TO ORDER

Chairperson Carter called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

Kathy Hogan, 19721 S. Central Point Road, said she had read an article in a local paper about some signs which were put out near a school to remind drivers to slow down, and she asked if the Planning Commission could perhaps review and/or revise the City regulations to allow such because, whether these signs are paid for by the schools (whether St. Johns or the public schools), she thinks they are a good safety reminder.

3. APPROVAL OF MINUTES: December 9, 2002, December 11, 2002, and December 16, 2002.

Chair Carter said corrections had already been taken for the minutes of December 11th and December 16th, but had not yet taken any corrections for the minutes of December 9th. With no corrections to those minutes (Dec. 9th) but encompassing the previously submitted corrections, **Main** moved to accept all of them as submitted and corrected. **Orzen** seconded the motion, and it passed unanimously.

4. HEARINGS:

Chair Carter gave the parameters and procedures for the hearings on the agenda this evening, both of which are quasi-judicial in nature.

VR 02-10 (Request for a Continuance to February 10, 2003); Great American Development: Joe Spaziani; Request for a continuance of the Planning Commission Hearing for a Variance to increase the maximum cul-de-sac length by 50 feet for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.

Kabeiseman asked if there were any conflicts of interest, bias, or ex parte contacts to be acknowledged by the Commission. There were none, nor were there any challenges by members of the audience against the Planning Commission (PC) or any individuals for participating in this hearing.

Konkol said the applicant was requesting a continuance to the next PC hearing date for this variance while reviewing alternative designs for the subdivision. **Orzen** moved to uphold the request for a continuance to Feb. 10, 2003. **Main** seconded the motion, and it passed unanimously.

ZC 02-03 (Quasi-Judicial Hearing); Great American Development; Joe Spaziani; Request for a Zone Change from R-10 Single-Family residential to R-8 Single-Family Residential for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.

Konkol, who would give the staff report, introduced a letter into the record as Exhibit A from Scott Sether, 19230 Pine Place, dated Jan. 16, 2003, in which he states he thinks this development should remain R-10 because traffic will increase if it is zoned R-8; there is a potential for flooding and problems related to the increased drainage from the development; and with increased housing there will be more children attending John McLoughlin Elementary. (**Konkol** had distributed copies of this letter to the Commissioners.)

Konkol then made some corrections to page 1 of the application. He noted that this is actually a Type IV application, not a Type III. Under "Process," he also clarified that Type IV permits are reviewed by the PC. If the decision is for denial, that is the final decision, which can be appealed to the City Commission. A recommendation of approval can be forwarded to the City Commission should the Planning Commission so determine. He noted that correct references are made within the body of the staff report to a Type IV permit and the correct process and procedures.

As background, **Konkol** said the applicant is requesting a zone change from R-10 Single-Family to R-8 Single-Family, for an approximately 8.09-acre vacant parcel located southwest of Partlow Road and southeast of South End Road. The parcel has a Comprehensive Plan designation of LR Low-Density Residential, which includes the R-8 Single-Family zoning designation.

Konkol said the applicant currently has a proposal for a 31-lot subdivision submitted with the City, and a variance for the cul-de-sac length (the latter of which was just continued to Feb. 10, 2003). The proposal has two temporary stubs terminating into the parcel (Pine Place and Mahogany Drive) both from the north and the south into the site.

The surrounding zoning and land uses are Single-Family Residential, including both R-10 and R-8. There is an R-8 Single-Family subdivision (identified as Hazel Grove 5); an R-8 Single-Family subdivision identified as Hazel Meadows, an R-10 Single-Family subdivision identified as Hazel Grove 3; and various R-10 Single-Family parcels. (A full copy of the application, the staff report, and related documents are available in the public record through the Planning Department.)

The site has frontage to the west on South End Road, which is classified as a minor arterial in the Oregon City Transportation System Plan (TSP); Pine Place and Mahogany Drive, both of which are local streets that are stubbed into the property to the north and to the south; Filbert Drive (directly to the south), which is classified as a neighborhood collector; and Partlow Road (directly to the north), which is classified as a collector.

Konkol said proper noticing was done to the immediate property owners and to the community, and transmittals were received and incorporated into this staff report as they pertain to the zone change.

The South End Neighborhood Association submitted comments opposing the requested zone change to R-8 based on the following:

- Existing traffic problems on Filbert Lane.
- There is no direct access from the subdivision to South End Road.
- South End Road and Partlow Road need improvements.
- The current retention pond may not be able to handle extra runoff.
- High density is not compatible with surrounding uses.
- The roadways must be 32 feet wide.

- The current traffic count on Filbert will increase from 600 to 900 daily trips.

Konkol also noted that comments were received from:

- Mr. Howell, 19240 Pine Place, requesting that the City grant a variance to allow the street to connect to South End Road and saying that if the variance is not granted, the zone change request should be denied to reduce the impacts on Filbert Drive and Pease Road.
- Mr. and Mrs. Fleming, 11795 Mahogany Drive, saying they are opposed to the zone change because there is inadequate police staff to patrol the area; the elementary school is overcrowded; and the increased traffic would be a burden to the developing traffic problems and road maintenance issues.
- Mr. and Mrs. O'Brien, 19364 South Hazel Grove Drive, saying the developer should have known the existing zoning and should not be able to change the zoning to get more lots after the fact.

Staff findings state that the applicant, Great American Development, submitted an application that was deemed complete on December 18, 2002.

Regarding criteria, after a preliminary review, it appears that there are adequate services (water, sewer, and storm drainage) to provide services to the parcel at the R-8 development level.

There is an existing storm pond south of the property, and the adequacy of the pond will be reviewed at the time of the subdivision application. That pond has the potential to be enlarged. If enlarging the pond does not alleviate the drainage coming from the site, there are also alternate design options that could accommodate storm water, but the applicant would be responsible for showing that during the application for the subdivision.

The applicant states that a traffic analysis report was prepared by Lancaster Engineering for this subdivision, and no problems were found with any intersections or traffic movements on the streets around the development through 2017. Staff would concur with that finding, that this development would not impact the surrounding intersections and will not warrant improvements identified in the TSP based on the level of development associated with this proposal.

Staff said the zone change from R-10 to R-8 would equate to approximately 6 homes, so a 20-year analysis was not required by staff for those impacts since they seem to be insignificant.

Regarding Statewide Planning Goals, **Konkol** said the Oregon City Comprehensive Plan was acknowledged by the Land Conservation and Development Commission on April 16, 1982, and it was found that this proposal meets the Comp Plan goals associated with the requested zone change.

The applicant states the area is designated for Low-Density Residential use. The R-8 zone permits 5.5 dwelling units per acre, or 36 dwellings on the 8.09-acre subject site. The R-10 allows 4.4 dwelling units per acre, or 29 units on the site (assuming 20% of the property is used for public right-of-way). As stated, there are adequate services—transportation, water, sanitary, and storm—to accommodate the increased housing that would be associated in moving from R-10 to R-8. Further, as stated earlier, the R-8 is a zoning category identified under Low Density Residential as the Comp Plan designation for this site.

Under Policy 3 of "Housing" within the Comp Plan, it says, "The City shall encourage the private sector in maintaining an adequate supply of single- and multi-family housing units. This shall be accomplished by relying primarily on the home-building industry and the Private Sector Market Solutions, supported by the

elimination of unnecessary government regulations.” **Konkol** said the R-8 zone allows for smaller lots, which can be expected to provide for more affordable housing than the R-10 zone, and the requested zone change for R-8 would be similar to the R-8 zoned properties bordering a majority of this site, allowing for a more consistent development pattern with the adjacent properties. Currently 15 of the 24 properties and 1,863 linear feet of the 2,897 linear feet of properties abutting the subject property are zoned R-8 Single-Family. A majority of those properties in those R-8 subdivisions are at or near the 8,000 square foot minimum lot size allowed in the R-8 zoning designation.

The property is on a vacant parcel, and there are no natural resources or natural hazards on the property. It is not in the water resource overlay district. There is one large oak tree in the back corner, which the applicant is proposing to save. There would be no foreseeable impacts on habitat or fish since there is no habitat identified on this property.

The property is located on South End Road and has been identified in the TSP for bicycle and pedestrian connectivity. Improvements along South End Road would be required as part of the development, including a half-street improvement, which usually includes upgrading the road if it is needed, inclusion of a parking strip, curb and gutter, street trees, and a sidewalk. Local streets in the subdivision would also be to TSP standards, which include 32 feet of pavement.

Chair Carter asked, even with the possible site plan being proposed, if the developer would still be responsible for road improvements on South End Road, whether a road went out to South End or not, and if that would occur at the time of the site development. **Konkol** said that was correct.

Konkol said South End Road is on a bus line that currently has a bus stop right at the site that would allow potential users to utilize the other forms of transportation, including the bus. Also, the near proximity to John McLoughlin School District would allow students to walk to school and could thus reduce the number of vehicle trips in the City.

Konkol concluded by saying it is important to notice that this is an infill-type of development, meaning there is development on all sides of the subject site with four local street stubs into the property, affecting the street layout of the property and where lots can be located. Also, as stated earlier, adjacent properties are zoned R-8 to the north and the south. Therefore, staff would recommend that the PC recommend approval to the City Commission at a public hearing on Feb. 5, 2003.

Orzen noted that on page 7 it says there would be 36 homes with an R-8 and 29 homes with an R-10 listing. Yet on Exhibit 2, it shows only 31 home sites. **Konkol** said 36 represents the allowed density in the R-8 zoning, assuming 20% of the property is taken out as is the standard for roadway and public dedication.

Orzen asked if the 29 home sites would be consistent with R-10 zoning for that parcel size. **Konkol** said 29 dwelling units would be at R-10 with 20% taken out. However, on this site, it would be a difference of 6 homes so it would equate to 25. He said because of the four stubs coming into the property and the amount of local streets they would be building in this subdivision, it is probably a little more than the 20%.

Main asked for some clarification about the reference to the year 2017 on the traffic study. He said this subdivision would have some effect on the Partlow Road/South End intersection and the Warner Parrott/South End intersection, and he asked what triggers us to assess that developer for part of those improvements down the road. **Konkol** said he thought one of the recommendations from David Evans & Associates (who did the staff review of the traffic analysis) was that the developers should be responsible for their proportional share of

impacts to the Warner Parrot/South End Road intersection. He said that could be a Condition of Approval (COA) that could be applied at the subdivision review, which is yet to come.

Main noted that the David Evans report on the traffic study talks about queuing (page 3, item 7) and says the applicant should also submit the technical output from Synchro, and he asked if that was done. **Konkol** said that, too, would be a COA that would be added with the subdivision review because it is addressing the layout of the subdivision, not the actual zoning designation.

Main asked if that would be the same for item 9, which talks about clarification of the right-of-way dedication. **Konkol** said yes.

Main asked if the school had responded to the comments about the overcrowding at John McLoughlin School. **Konkol** said they did respond that this proposal does not conflict with their interests. (See Exhibit 9.)

Main asked what happens if they were to come back later and say it does cause a conflict. **Kabeiseman** said we must rely on what the service providers tell us at the time of the application, and they are currently saying it is not a conflict.

(**Chair Carter** stopped to introduce and welcome the new Commissioner, **Daniel Lajoie**, and apologized for overlooking this at the beginning of the meeting. She also said that Commissioner **Mengelberg** is still serving on the Commission but was not able to attend this evening.)

Tom Sisul of Sisul Engineering, Inc., 375 Portland Avenue, Gladstone, Oregon, spoke on behalf of the applicant, Great American Development. He explained that this parcel was brought into the City as part of the island annexation of parcels that were voted in by the citizens last year and that, as part of any new annexation, those parcels were given the R-10 zoning designation. He said a map prior to that effective date of annexation would show that between South End Road and the Hazel Grove subdivisions to the east (Phases 1-4), there were two subdivisions zoned R-8 (Hazel Grove V and Hazel Meadows), and the only large parcel zoned R-10 was the school property. All the others now shown as R-10 are the other parcels that were brought in as part of the island annexation and given the R-10 designation at that time.

Sisul said this parcel would be connected physically (by roads and by utilities) to developments to the north and to the south that were both re-zoned to R-8 in 1996 and developed as R-8 subdivisions. He said there would be no direct access from this site to any development zoned R-10 or any other zoning, for that matter.

Sisul said the sewer and storm drainage utilities for serving Hazel Grove 5 (to the north) actually cross what will be the future right-of-way of Mahogany Drive, as granted through an easement by the previous property owner. (He thinks the water is stubbed out to the side.) He said the street stubs in the proposed development connect the utility connections for water, and another requirement of this development would be to improve and fix the detention pond facility that was apparently constructed as part of the Hazel Mill subdivision to the south to make that a working, functioning detention facility.

Chair Carter asked **Sisul** to identify where the detention pond is actually located, which he did.

Sisul noted that many of the citizen comments were about access to South End Road. He said the applicant has asked for a continuance for further consideration of such because in the original discussions with staff, staff made it clear that access would not be permitted onto South End Road. However, he understands that this may be changing. Therefore, the applicant would like to work with staff regarding that.

Sisul explained that the difference between an R-8 and an R-10 zoning is approximately five. He said the impact to the street system, to utilities, and to the schools for these additional five homes is minor.

Regarding connections of the neighborhoods, **Sisul** said this neighborhood will be connected to the subdivisions to north and the south, both of which are currently zoned R-8, and this will be their neighborhood. He said the zoning map (Exhibit 1 in the staff report) shows that there are only two connections from Hazel Grove Drive to South End Road, those being Filbert Drive and Salmonberry Drive. Those lots that access on Hazel Grove Drive and lie to the west of it basically are creating a blockage because there is only one connection through, which leaves two isolated neighborhood areas with one inter-connection. Therefore, he would suggest that this subject site has more in common with the R-8 zonings on either side of it than with the R-10 zonings to the east. Therefore, the applicant would request that this parcel be recommended to the City Commission for approval for R-8 zoning.

There was no public testimony in favor of this application.

In opposition, **Mike Kolsut**, 19225 S. Mulberry Court, said he wanted to express some areas of concern for the residents of Hazel Meadows regarding the current proposed plan. They included the following:

- Regarding traffic, he said the residents have asked for speed bumps to be placed on Filbert Drive as a result of a recent traffic study, which showed that there are more than 700 daily trips on Filbert Drive, the majority of which are speeding.
- Also related to traffic, those residents have heard that there are plans for other developments in that area and the main access from Central Point onto South End Road is down Skellinger Way to Hazel Grove Drive and down Filbert Drive. With an additional 30 homes, this could result in as many as 1,000 trips on Filbert Drive every day, which is a big concern for a residential street.
- They also have safety concerns particularly from a fire standpoint since there is no access to South End Road. He said Filbert Drive, Pine Place, and Mahogany Drive are very narrow streets, and he is not sure a fire truck could go down those streets if cars and motor homes are parked along them.
- He said there is also concern about the lack of any crosswalk in the area, especially for students walking to school, and he said they have asked for a crosswalk on Filbert Drive that has access into the park area at McLoughlin. He said the school is not opposed to it, but they are concerned because there is no direct line of sight from the school to that area, so they couldn't really watch the students if there were to be a crosswalk there. Currently, he said, the students are at risk as they walk to school.
- Another safety concern is that the holding pond is currently unfenced. He said he personally observed earlier this day that there is about 2 ½ feet of standing water. Seeing this, he isn't sure if it can provide the holding power needed for an additional 30 homes.

Chair Carter noted that it is rather difficult to read the map (Exhibit 1) because there are no directional indicators (N/S/E/W) or street names, but she noted one of the difficult things about this particular parcel is that it is not possible for the residents of the Hazel Grove development to the east to get to South End Road, even if the subject site accessed onto South End Road, because of the row of houses that block access from Westwood Drive in the Hazel Grove development to the subject site. She said this needs to be considered because if there weren't houses along that line and they made a road that went through, that would alleviate a lot of the traffic problem, but the houses are already there so it won't alleviate any of the traffic coming out of "all of this neighborhood" even if they do put a road to South End through the proposed development. **Kolsut** said he disagreed, saying he lives on Mulberry and he observes that people who live in that neighborhood typically drive up and down Filbert to go to work. If a new development is put between Filbert Drive and Partlow Drive,

the road of choice is Filbert. Therefore, he thinks it would have an impact on Filbert. However, if there were an access onto South End Road, he thinks the people in the new development would use it as their first choice.

Chair Carter asked for a clearer understanding of where the traffic currently comes from, and **Kolsut** said traffic studies have shown that the traffic comes from the area of Central Point, Skellinger Way, and from behind the Hazel Meadows/Hazel Grove area. He said when the residents talked with Nancy Kraushaar about the request for speed bumps, it was noted that Skellinger and Filbert are the only two roads that are main access from one side of the development to the other, the other being Salmonberry. However, the big difference is that Salmonberry has a built-in S-curve that slows down the traffic.

Orzen asked if there is a lot of flooding in the area (in homes). **Kolsut** said he knows of one home across from him that has had some problems with water in the sub-floor and he has heard that others have had problems. Also, he has also been told, but he cannot verify, that there is an underground aquifer in the area.

Jason Medford, 11650 Filbert Drive, said he has no problem with changing the zoning from R-10 to R-8. His only concern is that he would like the road to go out to South End from the new subdivision.

Kathy Hogan, 19721 S. Central Point Rd., showed on the wall map that many of the surrounding properties are R-10, and only two neighboring parcels are R-8. She agreed that having a direct road access to South End would alleviate much of the traffic on the side roads. She identified herself as co-chairperson and land use person of Hazel Grove/Westling Farm, saying she lives within their boundaries. She said they were concerned about having a direct connection to South End Road to alleviate some of the problems, and she concurred that Ms. Kraushaar had spoken to their neighborhood association to discuss the issue because of the volume and speed of the current traffic.

She said there was also talk in the past that the Parks and Recreation Department might cover the detention pond and convert it to a parking lot, but she would encourage that it not be disturbed.

She acknowledges that the developers will lose one or two houses if the zoning is kept at R-10, but she thinks that the surrounding neighbors should be given consideration for their desires, and what they enjoy is the rural atmosphere of the R-10 zone. If it is to be changed, she suggested that perhaps the developer should pay for the speed bumps.

Orzen asked if the neighbors would consider a roundabout to slow down traffic. **Hogan** said no because that was considered before but was not found to be not feasible because of the width of the road.

Tom O'Brien, 19364 S. Hazel Grove Drive, said the staff report indicates that there is a design in this process for citizen participation, and he asked, What is the purpose of citizen participation in land use planning proposals? In this case, he said a total of 37 individuals have responded that they did not consider it appropriate to change the zoning to R-8, and only Mr. Spaziani and Konkol appear to be on record in support of the change. He asked if a decision to change this zoning would reflect the intent of the citizen participation policy goals.

Also, **O'Brien** referred to Sisul's comment that the area, other than what is currently R-8, is not isolated from the property to the east. **O'Brien** said he lives in Hazel Grove III and he is anything but isolated from the activities that go around in Hazel Grove V and the other development along Filbert.

Hogan asked if it would be a PC or a staff decision when it comes back for the plot plan and subdivision, and **Chair Carter** said that would be a staff decision unless they are also requesting a variance or a CUP, in which those would come to the PC. **Konkol** added that all the comments that are applicable to the subdivision will be

included in the subdivision review and applicable criteria may be appealed to the City Commission by those who commented on the proposal.

Ron Phillips, 19224 S. Pine Place, said he and Jack Tilden had both sent letters about this, which were not addressed in staff's comments, and he asked if they had been received. **Konkol** excused himself to pull the file, and **Kabeiseman** said staff had received several letters that addressed subdivision criteria, not zone change criteria. He said staff would look to see if any of those should also be submitted as exhibits to the zone change request.

Jack Tilden, 19196 Pine Place, said he is concerned about safety issues. In particular, he said he has two children who play on the street along with many others who live in the neighborhood, and he is concerned about adding more traffic to the local streets. He said he, too, would encourage that a street go out to South End directly from the new subdivision.

Upon his return, **Konkol** noted that the letter from Ron Phillips was received, but it specifically referenced TP 02-03, which is the subdivision file. Therefore, it was placed with that file, not the zone change file. **Konkol** noted that the letter from Phillips would be added to the record as Exhibit B.

In the applicant's rebuttal, **Sisul** said there were many questions about traffic on Filbert, and he admitted that he had not been aware of staff's meetings with the neighborhood associations where they discussed the traffic concerns and possible installation of speed bumps and/or roundabouts. He said the applicant will be discussing the access issue and they can also discuss a speed bump alternative, noting that it might be one of the solutions.

Overall, **Sisul** reiterated that he believes this parcel should be zoned R-8, as are the neighborhoods to the north and the south.

Chair Carter closed the public hearing at 8:00 p.m.

Main said it sounds like the majority of the issues expressed this evening can be addressed during the review of the subdivision. He asked **Konkol** if the TSP addresses any future connector from Central Point through to South End Road. **Konkol** said the TSP shows a proposed neighborhood collector to the south (by Parrish Road), which is quite a ways south.

Main agreed that we should be concerned with the safety issues (including the crosswalk and the unfenced pond) and the traffic volume issues, and he said he thinks staff and the applicant can work together to address those issues. However, he said he drove through the area again today to make sure he was familiar with it and it seems to him that the parcel is surrounded by R-8 on both sides and it connects to R-8 on both sides. The R-10 is Longstanding Court, which is an old subdivision that was built some time ago, and the Hazel Grove area. He said he is comfortable with this request for a zone change to an R-8 status, but he anticipates there will be a different discussion regarding the street outlet.

Kabeiseman noted Main's comment that he had made a site visit, and said that could be construed as ex parte contact. **Main** said he did not leave his vehicle nor did he talk with anyone while he was there. **Kabeiseman** then asked if there was any challenge from the public regarding that, and there was none, nor were there any other site visits by the other commissioners.

Orzen said she agrees that there are traffic issues, and that a connector to South End Road might alleviate a little of the traffic but not a majority of the traffic coming through Filbert. She asked if Filbert is currently 32 feet wide, and **Konkol** said he thought it was.

Orzen said she was also concerned about the impact of more homes in that area, which would create more impervious surface in that area. She said we need to consider the testimony of flooding in that area and the overall impact to the area. She noted that if the detention pond is not working properly at this time it might need to be changed. Therefore, she was not ready to change the zoning on this parcel to an R-8.

Also, considering the difference between 36 houses for an R-8 and 29 houses for an R-10, even with the additional constrictions for roads, **Orzen** said she wasn't very concerned about an increase of two houses at the R-10 zone but an increase of six houses at R-8 is a concern.

Lajoie asked for clarification that the scope of this discussion was only for a zone change from an R-10 to an R-8, and was told yes.

He asked if the streets that are proposed on this particular document could change, and **Drentlaw** said yes, noting that this would be discussed at the time of design review.

Lajoie said he doesn't see anything that indicates that approval for a change to R-8 is a bad thing and he doesn't see any discrepancies in the findings and documentation.

Chair Carter noted first of all that the PC does listen to the comments of the public and she said most of their comments seem to be about the road access going directly to South End Road rather than relating to the zone change request. She said the people need to realize that if they want the developer to agree to an access out to South End Road, which wouldn't necessarily be his first choice, they must give him something in return, and in this case that is his request for an R-8 zoning.

Chair Carter said she thinks the majority of the traffic from the existing areas will still use Filbert Drive rather than any future connection from this site should it occur, and she said the question is whether people would prefer the road configuration that is proposed with an R-10 designation or if they would prefer a street to South End Road with an R-8 designation.

She said the PC always has a difficult challenge with zone change requests because they come before, not with, the developers' plans. However, as in this case, we must work based on the current criteria, and everything presented suggests that all criteria are met for an R-8 zone designation change. She said she has heard the citizens' comments and has also heard that the developer is willing to work with staff about access to South End Road, so she thinks they need to allow the developer to have the R-8 designation. She noted that this doesn't necessarily mean more houses, but it can mean a better, more functional development.

Main moved to approve recommendation of this zone change request from an R-10 to an R-8 to the City Commission. **Lajoie** seconded the motion. The votes were: **Orzen**—no; and **Main, Lajoie, and Chair Carter**—yes. The motion passed 3:1.

NEW BUSINESS

- **Elections:** **Drentlaw** said Municipal Code Chapter 2, calls for election of officers (Chair and Co-Chair) for a term of one year at the first meeting of the new year.

Orzen nominated Chair Carter to continue for another year as Chair. **Main** seconded the nomination, and it passed unanimously.

Chair Carter nominated **Orzen** as Co-Chair. **Main** seconded the nomination, and it passed unanimously.

- **Crosswalk Signs:** **Main** said he, too, had heard some comments about the “green crosswalk men”, which are not approved for use in the current Code. He agreed that they seem to work in reminding people to drive more slowly in the school zones and he asked if staff could look into making some kind of an appropriate change.

Drentlaw said he would check with the City Manager and the Police. He said he doesn’t think the City will pursue their removal, but he will confirm the status.

Orzen asked if they are located in the street or along side the street. **Main** said sometimes they are in the middle of the street so perhaps some guidelines are needed.

Chair Carter agreed that if they are working, she would rather err on the side of safety with regard to school children, so she hopes they can continue to be used.

ADJOURN

With no other business at hand, the meeting was adjourned at 8:15 p.m.

 1.28.03

Linda Carter, Planning Commission
Chairperson



Tony Konkol, Associate Planner

To: Oregon City Planning Commission
320 Warner Milne Rd
Oregon City, OR 97045

From: Sha Spady
17855 Alden Street
Oregon City, OR 97045

Date: December 27, 2002

RE: Outdoor Lighting Ordinance.

Dear Commissioners,

This article was sent to me by a friend who lives in Bend and knew of our interest in creating an outdoor lighting ordinance for Oregon City. Though each individual municipality has unique circumstances, I thought you might be interested in how the City of Bend is approaching the situation.

Also, since my "Dark-Sky" slide presentation to you, the "decorative" lights on Molalla avenue have debuted, and, from my home in the center of Newell Creek Canyon, at night I see a large, glowing, orange reflection of "outgoing" light against the clouds in the sky above them. I can also see their light brightly outlining the pathway of Molalla Ave. at night from my office window in Oak Grove.

Is it possible for the City to retrofit these lamps with decorative shields to alleviate this excessive night shine or, at the very least, turn the lights way down so they become merely decorative (as opposed to security lighting) like the example we saw in one of the "Dark-Sky" slides?

The enclosed article mentions the idea of getting high school shop classes involved in making retrofitted shields for existing "bad" light fixtures in the Bend area. Would this sort of collaboration between the City and the O.C. Schools or Clackamas Community College be possible?

I am very interested in this issue and look forward to further discussions with you on this matter.



CC: Oregon City Commission
Joe Johnson, President, Clackamas Community College
Dan Rodriguez, Supt. Oregon City Schools

Panel eases on lighting changeouts

Required retrofitting could come in later rules; Canadian expert speaks at hearing

By Barney Lerten
Bend Bugle

A citizen panel that has been crafting an ordinance regulating outdoor lighting in Bend is trying not to pick any big fights - and so, unlike a several-years-old Deschutes County counterpart, the current proposal wouldn't require changing out old, glaring lights, figuring time would take care of that.

The proposed lighting rules were the subject of a work session, then a brief, generally favorable hearing before the Bend Planning Commission last Monday night. But that doesn't mean there aren't more questions and details to address, such as enforcement issues. The citizen committee will meet again Dec. 6 to work on those issues, before returning to the planning commission with a revised version.

Committee advisory and contracted city planner Mike Byers noted in his memo on the rules that earlier drafts had been revised and discussed by the city council's land use subcommittee, and the most recent version included changes recommended by a national lighting expert.

The short, 3-page ordinance, avoiding technical gobbledygook, is not intended to darken the night sky for star-watchers and astronomers to the point where safety and security are compromised, for property owners, motorists or anyone else, he explained. The goal, instead, is to provide safe, adequate lighting that serves its intended purpose, while reducing non-essential lighting and glare.

The rules would apply to all kinds of structures and property, including industrial, commercial and public facilities. But it would apply only to new lighting fixtures and those (the bulbs) replaced after ordinance is adopted, not applying retro-

actively to existing lighting fixtures.

"That is a lot more palatable," Byers said, to many property owners who had expressed concerns about the costs involved in requiring changeouts.

In a case of coincidental timing, the current issue of Sky and Telescope has the second cover story this year on the issues related to outdoor lighting and "promoting night-sky-friendly" lighting. "You don't have to fight City Hall to ban bad lights," one headline reads. "Make City Hall your friend."

The key line in the draft ordinance states: "All outdoor lighting fixtures subject to this ordinance shall be designed or have a shielding method to direct light emissions down onto the site and not shine direct illumination or glare onto adjacent property."

The draft rules go on to say all exterior building lights, "except those required for security," are to be extinguished by 10 p.m., or within an hour after the end of business hours, whichever is later, but planning commission members asked for more clarity about how a 24-hour gas station, for example, would be affected.

The rules also would require "full cutoff" fixtures, as they are known, for street lighting, meaning the bulb and shielding couldn't hang below the fixture, directing light out, instead of down. Sports fields also would have to turn off their high-intensity field lights by 10 p.m. or by the end of the day's final event.

Byers showed off some examples of retrofit shields for home lights and mentioned the idea being discussed of getting high school shop classes involved in making them.

There's a 10-item list of exemptions, including "all outdoor light fixtures lawfully installed and operating prior to the effective date of this ordinance." However, the draft rules go on to say the city later could adopt ordinances that deal with retrofitting or removal of such fixtures.

Other exemptions include correctional institutions, holiday lights up for no more than 60 days, carnivals and tempo-



Barney Lerten

In a darkened city council chambers, Lighting Committee Chairwoman Patty Rosen used a shielded light to show the point of proposed rules: Light the subject, not the sky (or your neighbor's window).

rary lights for TV or movie productions and "residential decorative ... and low-wattage lighting used to highlight driveways and landscaping ... providing they are properly aimed and shielded."

There some other, potentially sticky parts of the rules, such as ban on "the operation of searchlights for advertising or promotional purposes, and of course, the penalty for violations, which would constitute a Class C civil infraction, and be subject to abatement under the nuisance provisions of the city code.

Planning commission member Jeff Ellington asked why neon lights were included in the exemption, and Byers explained that the committee believed those kinds of lights "don't shine a light up (into the sky) that much."

Byers also noted that some areas of town, such as Broken Top on Awbrey Butte, already have far more restrictive outdoor lighting regulations than the city is proposing.

As was explained at some stakeholder meeting last June, the benefits extend not only to

better neighbor relations, but can save money as well, since not wasting light can mean using lower-wattage, more efficient fixtures.

Sharon Smith, attorney for the Bend-La Pine School District, submitted a letter expressing "concern about the impact (of the rules) on the lighting at existing facilities and costs for retrofitting."

On the other hand, Smith noted, "The Lighting Committee has taken the approach that the proposed ordinance will be for new lighting installations only. We think this is a very prudent approach. Their next step would be to adopt an ordinance that addresses retrofitting. That step will require substantial analysis and public input."

The lawyer suggested only minor modifications or clarifications to the current draft proposal, but warned of the impacts of the potential follow-up rules regarding existing lights.

Rosen, chairwoman of the citizen lighting panel, used a portable, shielded light fixture in

a darkened City Hall chambers to explain what the group is talking about - first shining the light out into the audience, then over her head.

She then introduced a special visitor: Angela Squires, public relations director for the Royal Astronomical Society of Canada's Vancouver Centre and an expert in the field of controlling light pollution.

She gave a 15-slide presentation that included satellite imagery and photos of the right and wrong way to light streets, sidewalks and the like.

"We call it responsible lighting," Squires said. "What we're talking about is good, quality lighting. We need light at night, but what we need is good light."

One slide clearly showed that a "huge increase in light pollution" in the last 30 years, she said, but some simple, common-sense regulations can reverse that trend. She quoted author and comet co-discoverer David Levy as saying that "\$3 billion is wasted annually in America, lighting the underbellies of seagulls."

**CITY OF OREGON CITY
PLANNING COMMISSION WORK SESSION
December 9, 2002**

PLANNING COMMISSIONERS PRESENT

Chairperson Carter
Commissioner Bailey
Commissioner Main
Commissioner Mengelberg
Commissioner Orzen

STAFF PRESENT

Sean Cook, Associate Planner
Dan Drentlaw, Planning Director
Tony Konkol, Associate Planner
Nancy Kraushaar, City Engineer
Pat Johnson, Recording Secretary

ALSO PRESENT

John Klucken, CTAC Member
Tim Powell, CTAC Member

Gillian Zacharias, David Evans & Associates

PLANNING COMMISSIONERS ABSENT

None

OPENING

Chair Carter opened the meeting at 6:08 p.m.

PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA

None.

APPROVAL OF MINUTES AT THE DECEMBER 9, 2002 MEETING:

October 2, 2002; October 14, 2002; October 28, 2002; and November 13, 2002

The following corrections were noted:

- Minutes of 10/2/02: **Orzen** noted that "Abernathy" should be spelled "Abernethy" (page 3, paragraph 2). Also, "Holliday" should be spelled "Holladay" (page 8, paragraph 5). **Main** said the name referred to as "Thomson" should be "Townsend" (page 9, four references throughout page).
- Minutes of 10/14/02: No changes.
- Minutes of 10/28/02: The words "rider ship" should be changed to a single word of "ridership" throughout the document.
- Minutes of 11/13/02: **Orzen** noted that the heading of the document should indicate CTAC, not the City Commission.

Orzen moved to accept all four sets of minutes with the changes as noted (for 10/2/02, 10/14/02, 10/28/02 and 11/13/02). **Mengelberg** seconded the motion and it passed unanimously, except that **Main** abstained from voting regarding the 10/28/02 minutes since he was not in attendance at that meeting. (**Bailey** had not yet arrived.)

CONTINUANCE OF THE COMPREHENSIVE PLAN REVIEW

Chair Carter reopened discussion of the Comp Plan proposal. **Drentlaw** reminded everyone that the Commission had worked through Section C—Housing and recommended that they work through the document page by page again, as they did the last time. So they began with Section D—Commerce & Industry.

Page D-1:

Chair Carter made the following comments:

- She said the word “contributes” in line 2 of Policy D-1 should be “contributing” and “that” needs to be inserted in line 3, so the section would read, “contributing to a broad and sufficient tax base, and that does not compromise....”
- She said that Policies D-2 and D-3 sound like basically the same policy.
- On Policy D-4, she said word “that” needs to be inserted in front of “all new commercial” in line 1, and she suggested changing the word “to” in line 2 to “would” so the phrase would read, “...and institutional development would feature...” but Zacharias said “that” doesn’t fit. The decision was to leave the line as is.

Mengelberg noted that Policy D-2 says, “...provide screening and buffering from adjoining residential neighborhoods...” and Policy D-4 says, “...provide screening and buffering from adjoining lower-density residential neighborhoods.” **Chair Carter** had noticed the same, and said that 2, 3, and 4 all seem to say about the same thing. Especially in D-4, part of the sentence is that we’re encouraging “through regulations, education, and incentives” and then it describes what pieces of planning we’re encouraging. Also, D-3 says we expect high-quality design and D-4 talks again about building, signage and landscaping.

Powell said D-2 talks about the general idea of what we want, D-3 talks about looks and livability, and D-4 talks about offering people incentives to do it. He asked if they could perhaps combine them into one. However, **Chair Carter** suggested explaining each one more clearly. For incentives, perhaps D-4 needs to explain a little more about the incentives, although she thinks D-2 reads okay as is.

Mengelberg suggested ending D-4 after “landscaping” and deleting the rest of the sentence, since “screening and buffering from adjoining residential neighborhoods” is already in D-2. **Drentlaw** concurred.

Main noted the phrase in D-3 that talks about Commercial and Industrial yet says, “enhances the livability of the neighborhood”, and he asked if the word “neighborhood” is sufficient or if it should perhaps say “surrounding neighborhood” or “adjacent neighborhoods”. **Zacharias** said parts of them are in neighborhoods and they are usually adjacent to something. **Mengelberg** noted that a business like Starbucks could increase livability.

Regarding this whole section, **Chair Carter** commented that the NEMO concepts seem to have come to a standstill as far as them coming up with Code language, and she asked if we wouldn’t still want a policy for Commerce and Industry to attempt to do environmentally-friendly construction. Even though we might not be using NEMO per se, we would still expect those concepts.

Main thought this might be more appropriate in Section F – Natural Resources. **Orzen** thought it should be referred to in Commerce and Industry as well and then perhaps detailed later. **Chair Carter** agreed because she said if someone is considering building a commercial building on a flat, unimpeded piece of property, they wouldn’t be reading the section on natural resources. **Orzen** said if they have the opportunity to use grass-crete instead of concrete or asphalt as a viable option, which should be mentioned under “Commerce.” **Mengelberg** suggested saying, “Encourage the use of pervious surfaces wherever practical.” **Chair Carter** said it could include that and any other design standards that would be environmentally friendly, possibly south-facing buildings, solar panels, etc. **Cook** said that could be added into D-4, which already references “attractive buildings, signage and landscaping” or it could be made more distinct in a separate “D-5.” **Chair Carter** said she thinks it should be a stand-alone policy. Staff will work on this.

Main read sentence 2 in the first paragraph on page D-1 which says, “Vacant industrial land in the city limits and UGB must be monitored....” He said it sounds like the land must be in the city *and* in the UGB in order for

it to be monitored, and he wondered if it should be worded differently. **Mengelberg** noted that everything within the UGB is not necessarily in the city, and **Zacharias** said they would usually make a distinction and just think of unincorporated land within the UGB. **Main** said the word "and" makes it sound like it has to be both, and some said that it would be both. **Drentlaw** said this says to him that we will monitor both in the city limits and in the UGB, but said the line could say "and/or..." **Chair Carter** suggested saying, "Vacant and industrial land within the city limits for immediate usage and the UGB for future usage." **Zacharias** noted that inherently the city is within the UGB. After further consideration, they decided to say "and in the UGB...."

Main noted that the wording in the 6th line of the same paragraph says "and support for home based businesses" and he said he had never thought about the city supporting home-based businesses. **Chair Carter** said she had a similar question in another section. **Powell** said the discussion at the time was for support of businesses such as Kinko's or other services that would support people who are working from their homes.

Mengelberg noted that home-based businesses are discussed later on, and she said there are many home-based entrepreneurs that don't generate a lot of traffic, pollution, noise, etc. She said this could be thought of as an "incubator strategy" because they grow, they expand to an industrial area or business park, and they start hiring employees. **Drentlaw** concurred that one advantage is that they don't generate much traffic because they are working out of their homes, and **Powell** agreed that there are a lot of them.

Main said he simply had not thought before about whether or not the city encourages such, and **Chair Carter** said we basically support it. However, she noted that we need to be careful that they don't get out of hand because they could get out of hand (i.e., with signage, etc.) and abusive to the neighborhood if not monitored. **Mengelberg** said that is why we need to adopt a home occupation ordinance, which is an action item. She said Clackamas County has done this, and there are lots of examples to look at when the time is right.

From the same paragraph (line 7), **Main** read the phrase "This element, and the supporting resource document" and asked what that is. **Zacharias** said that is the technical report that supports this element (calculations of vacant lands, the employment density, etc.) It is included in the Contents and in Tab 2, but **Zacharias** said she will add the name of document to this paragraph.

Pages D-2 and D-3:

Chair Carter said the letter "s" should be deleted from the word "improvements" in line 1 of Action Item D4, and "Willamette Falls" in Policy D-13 (page D-3) needs another "l". Also, in Policy D-14, she suggested including "the high school," between "the college," and "the Workforce Investment Council...." **Zacharias** suggested "the School District" instead of "the high school", which was agreed upon.

Drentlaw asked if the reference in Action Item D-8 should specifically say "campus master plan" or if it should simply say "master plan." There was concurrence for "master plan." With discussion of the same on Action Item D-9, the decision was to delete D-9 completely since it is covered by D-8.

Kraushaar asked if the reference to "Red Soils site" in Action Item D-6 should say "Red Soils area" since the site is almost completely developed now. Agreed.

Page D-4:

Chair Carter asked if Action Item D-12 ("Create a Planned Development or Master Plan provision and review procedure that will allow developers to promote comprehensive evaluation and planning of new development....") is more a policy than an action item. **Kraushaar** said it needs action but she thought perhaps they could incorporate the idea of flexibility expressed herein into Policy D-19. However, there was concern

that the policy not allow too much flexibility, but that could probably be controlled when the Code is written for it.

Action Item D-13 says, "Prohibit retail uses with more than 60,000 gross square feet of leasable floor area per building or business in areas designated as 'employment areas' by Metro." The following related items were discussed:

- **Chair Carter** asked what is meant by "employment areas" and **Drentlaw** said Metro has a specific definition for it.
- **Mengelberg** asked, if the idea is to curb "big box development, do we mean a footprint of 60,000 square feet or less, or would we care if the building were built in two stories? **Drentlaw** said he reads it to mean 60,000 gross square feet of usable area, even if it is two stories.

Mengelberg said if the requirement is for 60,000 square feet or less, we are encouraging density and more efficient use of the land, and asked if that is a bad thing. **Drentlaw** said we have a very short supply of industrial land in the region, but the pattern seems to be for big box to come in and utilize that land for retail rather than employment. **Mengelberg** noted that it requires a lot of parking, and **Powell** said part of the CTAC discussion was about eliminating parking or at least sharing parking with landscape in the parking area to mitigate large impervious surface. (**Mengelberg** noted that the parking is based on square footage, not the footprint.)

Chair Carter asked if we need some explanation of the Metro definition is as it pertains to employment areas, and **Drentlaw** suggested that could be put in the background. **Drentlaw** explained that Metro has three categories, of which the business must meet two out of the six criteria (i.e., large contiguous property, availability of utility connections, proximity to major transportation facilities, etc.) He said Metro has looked all over the region to find those areas and then has encouraged local jurisdictions to protect them. One of the ways to protect them is to prohibit commercial. **Powell** said in Oregon City those currently include Red Soils and Fir Street, and **Chair Carter** asked if the Parker area is in the regional center core area, but **Drentlaw** said none of those is specifically name in the Metro plan as regionally significant, although they could be. He said they are thinking strictly industrial.

The conclusion was to leave Action Item D-13 as is, and **Zacharias** noted that there is a brief discussion of it on page D-12.

(**Bailey** arrived at 7:40 p.m.)

Bailey said he had attended an economic summit at which there was a lot of discussion about the need for "traded sector businesses." **Mengelberg** defined that as being about a company's ability to bring new money into the region serving a larger market than the region. For instance, a hairdresser or a grocery store serves the local market, whereas a traded sector company would be selling their product overseas and bringing the money from those sales into the local community, producing a much more stimulating and stabilizing effect on the economy. **Zacharias** said manufacturing tends to be more traded sector, as well as high tech services. She also noted that it isn't necessarily a physical product but it could be a product such as consulting or information.

Bailey asked if we are looking toward those types of businesses in the future, and **Mengelberg** said she thinks we should.

Page D-5:

Chair Carter asked if we are continuing to encourage government offices in our historic downtown, as stated in Policy D-26. **Kraushaar** said, as part of a regional center, we should be. **Bailey** and **Orzen** agreed, as did

Mengelberg. **Bailey** noted that they attract business during the day and they provide employment. **Zacharias** said it would probably be better if the city government was located there, but it isn't. Since it doesn't specifically say what kind of government, the conclusion was to leave this policy as is.

Drentlaw had a question about the entire Goal D-6 – Regional Center. He said there was quite a bit of discussion about this topic in the Housing section as well, and he suggested it might be good to make it a separate chapter rather than a section within Commerce and Industry. **Bailey** noted that there are a number of cross-over issues, but it doesn't hurt to mention them in the different areas.

Mengelberg noted that Action Item D-16 says we are encouraging government offices within the Campus Industrial zone and asked if that is what we want. **Bailey** suggested we make note of some of the zone references during this first review but he said we may want to re-address the overall issue of zones later so we are not limited by the pre-existing definitions. **Drentlaw** said he thinks the good concept in this action item has to do with not having storage facilities in the campus industrial zone.

Chair Carter noted that this is an action item, not a policy. However, she suggested that it should be a policy that says we are restricting low employment uses, and asked if it is in the policies. **Zacharias** said this is related to government within public uses. **Bailey** agreed that it is much more of a policy statement, and that Code would then be written to accommodate the policy, which becomes the action item.

Mengelberg said it seems like government offices should be in an office zone but businesses that involve parking school buses or trucks, or making signs should be in an industrial zone. The issue is to identify them by use.

Powell noted that the State has an office in the Red Soils Campus Industrial area and the County wants to move into that area, which is what they (CTAC) were talking about in discussing this item. **Drentlaw** said perhaps they should change the zone there, and **Bailey** agreed, saying perhaps it should be Mixed Use Employment. He said he personally is thinking of a civic center in that area.

Powell said the concern is that we already have empty buildings that don't meet Code so we don't want to exacerbate the issue. He said we need to fix the zoning and utilize what is already there. **Cook** said that is part of the housekeeping issues staff is working on, and he noted that there are two issues: (1) Fixing the CI zone (which is being reviewed) and (2) considering what to do with the Red Soils area—whether it should be more Campus Industrial or Mixed Use.

Regarding this particular action item, **Kraushaar** said she thinks the focus should be on the restriction of low employment uses, not public rights. **Chair Carter** suggested combining Policy D-17 and Action Item D-16. **Zacharias** said the policy is for the broader all-industrial uses restricting commercial and other land uses that gobble up industrial land, and the action item is talking about Campus Industrial only. **Drentlaw** suggested moving Action Item D-16 to the section that talks specifically about the Campus Industrial zone.

Kraushaar said she wasn't sure why government uses are included in Action Item D-16, but **Powell** said it was included specifically to address Red Soils.

Drentlaw then suggested focusing D-16 to limiting storage and low employment uses of Campus Industrial. It would read, "Restrict low employment uses, such as storage of building materials or vehicles, within the Campus Industrial zone."

Bailey asked if we know what plan designations other cities are using (i.e., Tualatin, Wilsonville, etc.) that have already addressed some of these zoning issues. **Mengelberg** said Clackamas County has a Light Industrial and an Other Industrial zone (which is more like the Campus Industrial, which has no outside storage and more attractive landscaping requirements), and it has a Heavy Industrial zone which allows outdoor storage and is more like the true manufacturing use that is typically thought of. There is also a Business Park zone, which is more like the Campus Industrial but much more business... Interjecting **Drentlaw** said staff is currently looking at that model with those three types of zones. **Cook** added that Oregon City's Campus Industrial is completely different than most other Campus Industrial in that it is really restrictive and actually lists a couple of small things and then government offices. In other cities it is meant for things like an Intel.

Chair Carter asked if we should make these clear here. **Zacharias** said there is discussion in Chapter 1 about the different types of plan designations, so the concepts have already been introduced. However, **Mengelberg** said it only identifies Industrial and doesn't identify Campus Industrial (pg. A3). **Zacharias** said they could perhaps describe how uses tend to be categorized. **Chair Carter** agreed, saying although Action Item D-16 describes the uses, the Campus Industrial has never been introduced or defined.

She noted that this seems to be part of the difficulty in following the document because words, phrases, or obscure references just pop up everywhere. She said if the Comp Plan is supposed to drive development, this document is inadequate to do so as it stands. **Drentlaw** said a lot of the ideas and issues do tend to overlap and **Kraushaar** said she doesn't think it hurts for things to show up in different places. **Mengelberg** suggested cross-referencing throughout, but **Kraushaar** said that can be very complicated.

Bailey encouraged that they not link the Comp Plan to specific ordinances, which can change often, because he thinks the Comp Plan itself should be more general. **Chair Carter** asked if staff feels there is enough guidance in this document for their use, and **Drentlaw** said yes because they can then turn to the various supporting documents and ordinances for the detail.

Kraushaar noted that the word "multi-model" in Policy D-24 should be spelled "multi-modal."

Bailey suggested that they explain further what a regional center is under Metro requirements, and **Main** suggested that it could be a separate section, as mentioned earlier.

Going back to page D-4, Policy D-19, **Bailey** read, "Encourage sub-area Master Planning for larger developments or parcels..." and asked if we could include "redevelopment" in that line, thinking specifically of the Willamette Falls Hospital area. He also thought that inclusion in this section of the description of a master plan and what triggers it would be good (including issues such as size limitations, complexity factors, etc.) **Mengelberg** said it might be hard to see because development would probably happen in discrete phases. **Drentlaw** said Action Item D-8 on page D-3 discusses master plans and suggested combining that into Policy D-19 on page D-4.

Mengelberg proposed moving Action Item D-8 to become a policy under Goal D-5 – Efficient Use of Land. **Bailey** suggested striking the word "campus" in the first line of Action Item D-8, so it would read, "Develop a "master plan" or "planned development" requirement..." (**Kraushaar** noted that the capitalization is not really necessary on the words "Master Plans" in Action Item D-8.)

Returning to page D-5, **Main** asked about the phrase "eminent domain" in Action Item D-20. **Kraushaar** said that is legal terminology for condemnation. **Mengelberg** suggested softening it to include "where purchase of the use of eminent domain..." and **Chair Carter** suggested changing the term to "public acquisition" instead of "eminent domain." Agreed.

Bailey asked, for clarification, if action items are policies, and was told no. He was asking because in many cases these almost seem like it. **Mengelberg** said Action Item D-18 looks like policy, and **Bailey** suggested that in the second review they need to look closely at them again to determine which are policies and which are action items.

Pages D-6 and D-7:

Chair Carter asked if Action Item D-22 should be deleted since the Holly Lane area is not a regional center area. **Mengelberg** suggested moving it to Goal D-7 – Retail as an action item.

In Action Item D-24, **Drentlaw** suggested crossing out “Mixed Use” in line one and deleting the entire last sentence. Then he suggested simply saying, “Create a Mixed Use zone...” since this is going somewhat against the grain of what was said before about significant employment areas, which don’t have mixed uses. **Chair Carter** said they had also discussed how significant employment areas would still need to be Mixed Use in the respect that they would have supporting retail. **Drentlaw** said the Metro model gets very specific about that but it is a very minute part of the total usage. This seems more wide open than that. He still suggested deleting the last sentence.

Mengelberg said it seems like Action Item D-22, which describes where the retail center should be, should actually be part of Policy D-27. **Chair Carter** said the neighborhood people in South End don’t seem to want to add grocery stores because they can easily get to Haggen’s, and the area of South End Road that really needs a grocery store is more toward the north end of it since they don’t have easy access to a grocery store. **Mengelberg** noted that expansion of the UGB may change that, and **Kraushaar** said they need to consider the difficult transportation routes as well.

Drentlaw said Sean Cook had had an interesting discussion with the owner of the church property that had been identified as a possible commercial area. **Kraushaar** said they need to look at it from the perspective of benefit to the entire city, not just a particular community.

John Klukun, CTAC member, said he had attended the last neighborhood meeting and those residents are really opposed to having any kind of retail in that area, although they are not opposed to growth if it is done properly. He said they like the rural feel and they don’t think the roads will support additional traffic for retail business.

Bailey said this long-range document is written to be permissive (in allowing something to happen), but not prescriptive.

Chair Carter suggested deleting Action Item D-22 and leaving the policy as is in its description to encourage development to be more “complete community” oriented. **Mengelberg** suggested the wording, “Allow development of medium-sized commercial centers in underserved areas.” **Main** agreed that it doesn’t need to be an action item.

Drentlaw said he likes the reference to 6-10 acres on a collector, and **Main** said that could be incorporated into Policy D-27. **Mengelberg** suggested, “Allow development of medium-sized commercial centers of approximately 6-10 acres in size to be located on a collector...” and take out the references to specific geography.

Mengelberg said that she had heard or read the suggestion that there should be some kind of a community center every quarter of a mile (a school, a shopping center, etc.) because people aren't going to walk more than a mile to anything, which was part of the discussion behind this action item.

Chair Carter reiterated Bailey's thought that the action item doesn't need to be so specific in location, and **Mengelberg** suggested deleting the words "south-end and east side" from the first sentence of Action Item D-26. It would read, "Allow the development of at least one new medium-sized commercial center to serve each of the underserved areas." Agreed.

Zacharias noted that there are different levels of commercial development and said Action Item D-27 is about small retail centers whereas Action Item D-26 is about medium-sized commercial centers.

Drentlaw said Action Items D-24 and D-25 have some similarities in that they are both talking about creating a Mixed Use zone, and asked if there might be a way to combine them and take out the specific reference to the location. **Mengelberg** said they are different because the Mixed-Use Office and Residential (MUOR) in D-27 is different than the Mixed-Use Employment (MUE) zone in D-26. **Drentlaw** said he thought the Comp Plan could just talk about the concepts of a good Mixed-Use zone without putting in the specific zones, which could box us in.

Chair Carter asked if we would apply this new zone to the End of the Oregon Trail area (as stated in the last sentence of Action Item D-24), but **Drentlaw** disagreed.

Chair Carter said there was still some confusion because Goal D-6 is about regional centers, but the action items are unrelated to the regional center area. **Zacharias** thought they did because this was the first mention that this needs to be applied. **Chair Carter** reiterated that we need to eliminate any specific references to particular areas. **Zacharias** said if a separate chapter were created for the regional centers, we could simply move Action Item D-26. **Kraushaar** noted that the issues discussed about regional centers also fit into many areas. **Chair Carter** noted that Goal D-6 is already about Regional Centers so perhaps a new chapter isn't needed; however, maybe it just needs a more defining opening paragraph.

Chair Carter said it is hard to catch the difference between small or medium-sized centers when just reading through the document. **Drentlaw** suggested grouping them, and **Bailey** suggested including a definition for each. **Mengelberg** said this, too, could be defined better in the opening statement.

Kraushaar suggested deleting the word "convenience" from the first sentence in Action Item D-27 so as not to lead to the conclusion of a 7-Eleven store. She suggested that it read, "Allow new neighborhood commercial centers, primarily providing goods and services for local residents and workers,...."

Mengelberg asked if Molalla Avenue should be specifically mentioned in Action Item D-28. **Bailey** said he is not opposed to a master plan or sub-area plan along Molalla, but he wondered if there was an agenda in the background inferred by the phrase "selected stretches" in line 1.

Chair Carter suggested omitting "stretches of Molalla Avenue" and inserting "corridors" or "arterials...." **Mengelberg** suggested "major arterials" and **Zacharias** suggested "minor and major arterials...." **Bailey** asked if this would be giving direction to the City to do this, and **Mengelberg** noted that Molalla Avenue already has the transportation facilities and access management done; it just doesn't have the land use. **Powell** said they tried to be specific in the action item this time so they could get it done. **Drentlaw** suggested the wording, "Develop local area or "specific plans" for arterials...." **Kraushaar** said that would be okay as long as isn't requiring the City to re-do the Transportation and Access Management Plan for Molalla Avenue.

Seeking clarification, **Zacharias** asked if the recommendation is to change it to be all arterials or leaving it as Molalla specific. **Chair Carter** said she doesn't think it should be limited to that because there are stretches of Beaver Creek, Washington Street, and others that need similar thinking. She suggested saying, "Develop local area or 'specific plans' as needed for minor and major arterial corridors...." **Zacharias** said this is an action item and asked which ones we are going to do and in what order. **Drentlaw** said this action item was specific to Molalla.

Chair Carter asked if this is really a policy, and if we have a policy in place. **Powell** said Policies D-28 and D-29 address it. Policy D-29 says, "Develop local neighborhood or 'specific' plans where appropriate to blend infill development along linear commercial areas...." and D-28 says, "Encourage the redevelopment of linear commercial corridors...."

Mengelberg asked if other streets should be added to Action Item 28. **Drentlaw** suggested saying, "selected arterials, including Molalla." **Kraushaar** said Molalla is unique in that it is a transit corridor, and she suggested saying "for transit corridors" which would be all-inclusive. **Chair Carter** said this could include an example by saying, "such as Molalla Avenue or Holcomb Boulevard..."

Zacharias asked if "transportation facilities and access management" is being left in, and was told yes. Also, in line two of Action Item, the wording would be, "...that address corridors comprehensively,..." rather than "that address this corridor...."

Drentlaw asked what the "Revised Master Plan" is on Action Item D-31. **Kraushaar** said the End of the Oregon Trail Interpretive Center had one master plan, which is constantly under change.

Bailey said this is an example of including things in the action items that are temporal. **Kraushaar** said action items are somewhat temporal in themselves, but she asked what the avenue is for doing that (supporting the implementation of the revised master plan). **Mengelberg** said one of the frustrations for the End of the Oregon Trail Center was that they had to come ask permission of the City every year to rent the land, so she suggested that the Comp Plan could state that the City will be supportive of the Revised Master Plan to give them some assurance of a long-term commitment. **Chair Carter** suggested that it should read, "To support the long-term viability of The End of the Oregon Trail Interpretive Center." **Powell** said their Master Plan already says that, so saying this in the Comp Plan would confirm that both parties are aiming in the same direction.

Bailey said he would not say "Revised", and **Chair Carter** suggested saying "current", which would cover whatever version is in place at the time. **Orzen** suggested, "Work with the End of the Oregon Trail Interpretive Center to implement their Master Plan." **Chair Carter** suggested simply deleting the word "Revised". Staff will work on wording.

Regarding Goal D-8 Tourism. **Bailey** said he would like to see that statement ("Support tourism as an important aspect of the City's economic development strategy") be more specific. He suggested, "Ensure land uses and transportation connections that support tourism" because this involves land uses and what we do through enforceable ordinances.

Drentlaw said he thinks it goes beyond land use, saying it is also the way the City spends its resources. **Chair Carter** said the policy is more specific, and **Bailey** said he would like to see a policy that ties tourism to historic natural resources as the basis for tourism and a tourist-based economy. **Kraushaar** asked if that is in a different section besides Commerce and Industry, and was told it is in the Historic section. But as a policy, **Bailey** would

like to say that we are actively linking our tourist-based economy to these other elements of the historic and natural resources.

Chair Carter noted that tourism isn't normally a topic for the Commerce and Industry section but **Bailey** said tourism is commerce. After some discussion, it was decided to expand the definition to explain what tourism consists of (i.e., historical assets, recreational assets, natural resources, Saturday Market, etc.) The action would be to support that goal by supporting the Chamber, the County's tourism, the End of the Oregon Trail, the museums, etc. **Mengelberg** asked if we should add "and area attractions" in the wording. Agreed.

Chair Carter said this would also encompass future attractions, such as fish ponds. **Bailey** said the master plan for the Cove area is really exciting and such a thing could easily be incorporated there. He added that another potential draw is Willamette Falls.

Chair Carter suggested the following wording for the opening statement: "Support and encourage tourism, such as (see ideas above) because it is a vital aspect of the City's economic development strategy."

Zacharias suggested that the policy could say, "Protect historic, recreational, and natural resources as a basis for tourism", which would allow the goal to stay simpler and broader.

Bailey said another part to consider is how we support these. For instance, we need places for people to stay, restaurants, coffee shops, etc. **Chair Carter** said the action items for this are really good and clear.

Zacharias summarized that we are adding another policy that says, "Protect historical, recreational, and natural resources as a basis for tourism."

Pages D-8 and D-9:

Regarding Goal D-9 Home-Based Businesses, **Bailey** said he thought the wording for the goal was fine, but asked if Policy D-31 should begin with "Encourage" or "Enable" or "Provide support for...." **Chair Carter** liked the word "enable" because she wasn't sure we are really ready to *encourage* home-based businesses. **Mengelberg** suggested striking Policy D-31 and keeping Policy D-32 ("Ensure that home-based businesses are low impact and do not disrupt the residential character of the neighborhoods in which they are located.") General agreement.

Bailey said he understands the intent of Policy D-33 but he thinks it needs work. **Mengelberg** suggested saying, "Encourage support services that home-based businesses need" and delete the detail of various types of businesses. Others said they think the detailed list is okay. **Powell** said some other cities have done well encouraging home-based businesses, and he has heard from several people that it would be nice to have a Kinko's nearby without having to go to a mall.

Chair Carter suggested moving the detailed list to an action item. **Zacharias** asked if we should add a new action item that says, "Encourage business-related resources..." and **Kraushaar** clarified that the policy would be to encourage support services that home-based businesses need and the new action item would be to encourage related resources such as a public library, etc. Agreed.

Regarding Action Item D-40, **Chair Carter** said she thinks the wording is pretty vague about allowing small signs, the number of employees, and the number of customers coming to the home-based business. **Mengelberg** said that is why we need to develop a home office ordinance, which **Bailey** said is the action item. The decision was to delete D-40 and add signage to D-41.

Page D-9:

Under Goal D-10 Industrial, **Chair Carter** said she thought the goal was fairly straightforward, but had a question about the phrase "other use collaterally supports..." in Policy D-36, line 2. **Zacharias** said she thinks that simply refers to small spin-off businesses such as a copy center or a deli shop to support employees in, perhaps, the Campus Industrial area. This is an effort to restrict non-industrial land, but still give some flexibility.

Mengelberg said another thought is that Clackamas County allows a certain percentage of the building to perhaps be a showroom or something, but that would be spelled out in the zoning ordinance rather than in the Comp Plan.

Bailey suggested using the word "periodically" instead of "continually" and "served by" instead of "serviced with" in Action Item D-34, line 1.

Chair Carter said she thinks this section reads well, and there were no other changes on this page.

Page D-10:

Under Goal D-11 Transportation System, **Chair Carter** said the end of line 2, Policy D-41, should read, "...flexible schedules or telecommuting options..." ("or" not "and").

Powell asked if there was mention of the trolley in this section, and **Zacharias** said it was mentioned in the Action Item D-37 under Goal 8 - Tourism.

Kraushaar thought that some reference to the Transportation Management Association (TMA) might be appropriate in this section. **Powell** said he was really thinking of shuttling people back and forth. **Main** suggested it might fit under Policy D-39 which says, "Through coordination with TriMet and local employers, encourage and promote the use of mass transit to travel..." **Mengelberg** suggested they might add this as an action item to explore feasibility of a local TMA system.

Bailey asked if they should include something about a transportation system in relation to the hospital. He said it is a huge employer with the potential to grow, yet there is no mention of it in this longrange document. It has a real presence in the city as an employment center and it will be a trip generator and a destination, yet there is no discussion of the transportation needs to service the community and the hospital. **Chair Carter** agreed, saying their big complaint about future development is that there is no good access.

Mengelberg read from Policy D-13 (page D-3), "Work cooperatively with Clackamas Community College and Willamette Falls Hospital to help facilitate their expansion, and encourage master planning for future expansions."

Bailey said that starts to get at it, then said perhaps it is a question of bigger scale. He asked if we want to not just "tolerate" by having a master plan area, but if we want to actually promote it and, as a policy, encourage that kind of development and related medical businesses and technology. This would included redoing streets and transportation to serve that area. The option is to just let it happen.

Chair Carter read the goal, which says, "Locate businesses in areas served by the type of transportation system they need." She suggested that perhaps it would be better to say "Provide transportation for existing major employers who do not have adequate transportation needs."

Chair Carter added that the hospital has a specific concern that they might not be able to stay competitive with Providence or other large hospitals because of the lack of good transportation access, so it seems like a good idea to say that the City recognizes the need and will try to facilitate it.

Cook noted that some changes have been made on the map just across from the hospital (on the west side of Division), which include the addition of a Limited Office area. **Kraushaar** said there could perhaps be some consolidation as some of the older homes which are needing major work, and she said the Commerce and Industry section is probably a good place to insert this. **Chair Carter** agreed, saying we want to ensure that future businesses are developed where they can be adequately served, but we must address the existing businesses.

Zacharias asked if Goal D-3, Policy D-15 is not as strong as we would like to see it.

Bailey asked what we do if someone like Providence came in and presented an application. **Chair Carter** said she thinks part of the resolution is to add wording in the Transportation System section that existing large employers who are not being adequately served by the transportation system will be a high priority. **Kraushaar** suggested there also be some elaboration under Retention of Existing Employers. **Bailey** asked if staff could work on an action item more specific to the hospital, and **Mengelberg** noted that it should include more than just the hospital, since there is also an eye center, the retirement center, and other related entities.

After more discussion, **Chair Carter** suggested adding "and other major centers" after "to reach out to existing industrial establishments" to Action Item D-7, line 2 on page D-3. **Drentlaw** concurred with the idea of writing a specific action item for the hospital and said staff will work on the wording. **Chair Carter** said it should include all pertinent elements, including transportation, land availability, signage, height restrictions, and parking.

Chair Carter summarized that they also suggested including something about adding something about the TSP for the existing businesses in general on page D-10. She noted that there is a difference between new areas coming and what the existing areas need.

Kraushaar said the transportation issue has come up with a recent application and we say well that we will encourage multi-modal transportation but we don't talk about preserving certain land uses so that we don't overload the transportation system. **Zacharias** said this started out to say that businesses are going where they match the transportation facilities, but perhaps that should include the idea of land uses.

Mengelberg suggested stating the goal as follows: "Locate businesses in areas that are served by adequate transportation capacity." **Chair Carter** said "type of transportation system" in the current verbiage is good because it leaves it open to transportation types such as rail or air, and suggested perhaps, "...served by capacity and type of transportation...." Staff will consider other wording for this goal.

Regarding economic development, **Bailey** said it seems that somewhere in Land Use planning we would want to provide entrances or gateways into the City and say how they are defined to help promote the identity of the City. **Mengelberg** suggested putting something about it under Tourism.

Page D-11:

There were no changes.

E. Historic Preservation, Page E-1:

Bailey said he thinks the first paragraph (following Chapman's quote) should say "Oregon City stands out in Oregon and in the Portland Metropolitan Area...." (adding "Oregon and").

Bailey asked what is meant by "architectural significance" in Goal E-1. The statement reads, "Encourage the preservation and rehabilitation of homes and other buildings of historic and architectural significance in Oregon City."

Powell said the City (within the Historic Review Board) defines "historic significance." For instance, his own house is considered of historic significance because of its battered cement columns.

After some discussion, it was decided that the phrase toward the end should say "historic or architectural significance..." rather than "and".

Regarding Policy E-1, **Bailey** suggested deleting the word "compatible" at the first of the sentence and adding "to be compatible with historic architectural appearance." After some discussion, the decision was to change it to say, "...to be compatible with the historic character of the surrounding area" to the end of it.

Regarding Policy E-2, **Bailey** read, "Create Historic/Conservation Districts...." He asked if that means City, State, or National, or perhaps all three. **Powell** said McLoughlin is a conservation district. He said it is currently a City designation but application has been submitted to make it National. It can be both, he said. **Bailey** said this needs a fuller explanation.

Chair Carter said this is addressed in Policy E-5, which says, "Support efforts to obtain historic designation at the state and national level for historic sites and districts. She suggested that the word "city" be added to the options. **Drentlaw** also suggested adding these to the list of definitions.

Regarding Policy E-8, **Chair Carter** asked what a "Certified Local Government status" is. **Drentlaw** said it is a designation from the State that allows a City to obtain State funds, and is defined on page E3.

Regarding Policy E-6, "Preserve and enhance the City's historic resources by continually updating the City's inventory of designated structures, **Bailey** suggested changing "continually updating" to "maintaining". Also, the word "structures" is misspelled as "strucutres."

Page E-2:

Regarding Policy E-9, **Bailey** suggested deleting "The City shall" and starting the sentence with "Encourage."

Also regarding Policy E-9, **Mengelberg** noted the term "to preserve historic structures" and said typically the requirement is to preserve the outside but not much care is given about the inside. **Powell** said the owners must only preserve the interior if the house is on the National Register. **Mengelberg** gave an example of a large house with small rooms wherein the owner wants to enlarge and modernize the rooms. **Powell** said it could cause a real battle to specify internal or external, and **Drentlaw** said that is getting too detailed in policy.

Regarding Policy E-12, **Bailey** read, "Publicly owned properties should be designated locally, regionally and nationally." He asked, Designated as what? He also asked what is meant by "Publicly owned property"? After some discussion, **Kraushaar** said it could read, "Publicly owned properties should be considered for considered for local, regional, and national designation." Agreed.

Chair Carter said she thinks Policy E-15 is a good policy (regarding a master plan for the Blue Heron Paper Mill to ensure that existing historic buildings are preserved and new development is compatible).

Bailey asked if the phrase "will be used" would be better in the first line of Policy E-15, rather than the current wording, "A Master Plan process is recommended...." **Zacharias** read from page K-2, Policy K-16, which says, "Require approval of a Master Plan prior to approval of any proposed redevelopment or change in use of the industrial site at...Blue Heron Paper Company...." **Bailey** agreed with putting it there rather than in the Historic section, but **Powell** said it should be addressed in this section as well since it is an historic site. **Bailey** then suggested that it read, "Ensure that existing historic resources on the Blue Heron site are preserved through a Master Plan...."

Drentlaw had a format question because he said the recommendations after each paragraph on pages E-4 through E-8 seem like action items and **Bailey** agreed that if they are not already covered in the action items, they should either be moved or added as such.

Bailey asked if the criteria for historic districts as listed on page E-4 is policy or if it is an existing set of criteria. He suggested that the line read, "Historic districts are areas containing buildings with significance...." However, **Powell** said this section is talking about districts, which is why the word "concentrated" is included. He said the McLoughlin area is sufficiently concentrated to be designated as an historic district, but the entire city of Oregon City is not.

Bailey read from paragraph 4, line 4 of page E-4, "Once damaged by extensive building cover, archaeological sites are lost. He suggested changing it to read, "Once a site is damaged by extensive building cover, archaeological values are likely to be lost."

In paragraph 3 under Historic Districts, **Bailey** suggested inserting "as an historic property" so the line would read, "Designation as an historic property assures the owner that a compatible setting will be maintained."

Regarding the Canemah Historic District (last paragraph on page E-4), **Bailey** suggested that it be changed to read, "Canemah is a significant example of a relatively in-tact historic riverboat town with architectural resources dating from the 1860s."

It was noted that the last page in Section E (an e-mail from Thomas Bennett) was inadvertently included and should be removed.

Both **Bailey** and **Chair Carter** gave small editorial comments (grammar, punctuation, etc.) to staff.

Chair Carter said this meeting will continue on Wednesday, Dec. 11th at 6:00 p.m., and will also be continued to Monday, Dec. 16th at 6:00 p.m.

OTHER BUSINESS

Bailey reiterated earlier comments that the Master Plan for the Cove Area is really exciting and has great potential.

With no other business, the meeting was adjourned at 9:00 p.m.

CITY OF OREGON CITY PLANNING COMMISSION

320 WARNER-MILNE ROAD
TEL (503) 657.0891

OREGON CITY, OREGON 97045
FAX (503) 722.3880



TO: Planning Commission

FROM: Tony Konkol, Associate Planner

DATE: January 16, 2003

SUBJECT: File # VR 02-10 (Great American Development: Cul-de-sac length increase)

Staff and the applicant request that the Planning Commission continue the hearing for the above referenced file to February 10, 2003 (Exhibit 1). The reason for this request is so that Great American Development, Sisul Engineering, and the City may further discuss the design options and alternatives for the project site concerning the proposed cul-de-sac and potential future connections to South End Road.

Staff recommends a continuance of the public hearing for the increased cul-de-sac length variance request (File VR 02-10) to the date certain of February 10, 2003.

SISUL ENGINEERING

A Division of Sisul Enterprises, Inc.

375 PORTLAND AVENUE, GLADSTONE, OREGON 97027

(503) 657-0188

FAX (503) 657-5779

January 17, 2003

Tony Konkol
City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045

RE: VARIANCE REQUEST, CITY FILE VR 02-10 (JO SGL02-062)

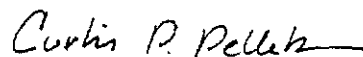
Dear Tony,

Sisul Engineering, on behalf of Great American Development, requests a continuance of the public hearing for the above-mentioned project, VR 02-10. The public hearing, to be held before the Planning Commission, is currently scheduled for Monday, January 27, 2003.

This request for continuance is to allow more time to study South End Road intersection connections, and the effects of future connections to the existing traffic patterns.

If you have any questions regarding this request, please feel free to contact us at any time.

Sincerely,



Curt Pellatz
Sisul Engineering

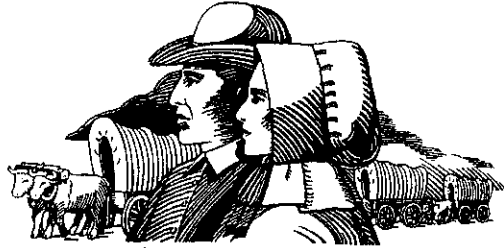
Exhibit 1

CITY OF OREGON CITY

Planning Commission

320 WARNER MILNE ROAD
TEL (503) 657-0891

OREGON CITY, OREGON 97045
FAX (503) 722-3880



FILE NO.: ZC 02-03

APPLICATION TYPE: Type III

Complete: November 18, 2002
120-Day: March 18, 2003

HEARING DATE: January 27, 2003
7:00 p.m., City Hall
320 Warner Milne Road
Oregon City, OR 97045

APPLICANT: Great American Development
Joseph Spaziani
16500 South Forsythe Road
Oregon City, OR 97045

REPRESENTATIVE: Sisul Engineering, Inc.
Tom Sisul
375 Portland Avenue
Gladstone, OR 97027

REQUEST: The applicant is seeking a Zone Change from "R-10" Single-Family Dwelling District to "R-8" Single-Family Dwelling District.

LOCATION: The property is located southwest of Partlow Road and southeast of South End Road and identified on the Clackamas County Tax Assessor Map as 3S-1E-12A, Tax Lot 2300 (Exhibit 1).

REVIEWER: Tony Konkol, Associate Planner

PROCESS: The Planning Commission shall make the decision on all Type III permit applications. Once the Planning Commission makes a decision on the Type III application, that decision is final unless appealed to the City Commission in accordance with Section 17.50.190. If appealed, the City Commission decision is the City's final decision on the Type III application.

RECOMMENDATION: Approval

IF YOU HAVE ANY QUESTIONS ABOUT THIS DECISION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 657-0891.

I. BACKGROUND:

The applicant is requesting a zone change from R-10 Single-Family Dwelling District to R-8 Single Family-Dwelling District for an approximately 8.09-acre vacant parcel located southwest of Partlow Road and southeast of South End Road and is identified on the Clackamas County Tax Assessor Map as 3S-1E-12A, Tax Lot 2300.

The parcel has a Comprehensive Plan designation of "LR" Low Density Residential, which allows the proposed R-8 Single-Family Dwelling District. The applicant has applied for a 31-lot Subdivision (Planning File TP 02-03) with a Variance (Planning File VR 02-10) to increase the maximum cul-desac length by 50 feet. The subdivision site is an "infill" type of development, i.e. all adjacent properties are developed. The project will connect two temporarily terminated streets, Pine Place and Mahogany Drive (Exhibit 2).

II. BASIC FACTS:

1. Location and Current Use

The subject site is located southwest of Partlow Road and southeast of South End Road and is identified on the Clackamas County Tax Assessor Map as 3S-1E-12A, Tax Lot 2300.

The 8.09-acre site is vacant. There is one large oak tree on the site, near the east property boundary and the east termination of Mahogany Drive.

Zoning of the subject site is "R-10" Single-Family Dwelling District and is designated as "LR" Low Density Residential in the City's Comprehensive Plan. The applicant is requesting a Zone Change to "R-8" Single-Family Dwelling District for the property.

2. Surrounding Zoning and Land Uses

The surrounding land uses are single-family residential and the surrounding zoning is R-10 Single-Family, R-8 Single-Family, and property under the jurisdiction of Clackamas County.

Immediately north of the subject site are 5 properties zoned "R-10" Single-Family, 4 of which are located on Longstanding Court and 1 on South End Road. There is an "R-8" Single-Family subdivision (Planning File TP 96-17) identified as Hazel Grove 5, which received a Zone Change from R-10 to R-8 in 1996 (Planning File ZC 96-06). South of the subject site there is 1 property zoned "R-10" Single-Family and an "R-8" Single-Family subdivision (Planning File TP 96-07) identified as Hazel Meadows, which received a Zone Change from R-10 to R-8 in 1996 (Planning File ZC 96-02). Across South End Road, west of the subject site, there is 1 parcel zoned FU-10 and outside the City limits, and 2 parcels zoned "R-10" Single-Family. To the east is an "R-10" Single-Family subdivision identified as Hazel Grove 3.

The site has frontage to the west on South End Road, classified as a minor arterial in the Oregon City Transportation System Plan (TSP). Park Place and Mahogany Drive, both local streets in the adjacent R-8 subdivisions, are stubbed to the property line to the north and the south of the subject site and connect to Filbert Drive, classified as a Neighborhood Collector to the south and Partlow Road, classified as a Collector, to the north (Exhibit 1).

3. Comments

Notice of this proposal was mailed to property owners within three hundred feet of the subject property on November 18, 2002. The proposal was noticed in the Clackamas Review on November 27, 2002. The notice indicated that interested parties may testify at the public hearing or submit written testimony at or prior to the hearing.

Transmittals regarding the proposed development plan were mailed on November 19, 2002 to The Hazel Grove/Westling Farm Neighborhood Association, South End Neighborhood Association, Oregon City

School District, Metro, the Department of Land Conservation and Development, City departments, and residents within 300 feet of the proposed project site. The comments received were incorporated into the analysis and findings sections below.

Comments were received from David Evans and Associates (Exhibit 3), Oregon City School District (Exhibit 9), the South End Neighborhood Association, and surrounding residents. A brief summary of the comments is included and the comments received were incorporated into the analysis and findings sections below.

South End Neighborhood Association has submitted comments opposing the requested Zone Change to R-8 based on the following comments: 1. Existing traffic problems exist on Filbert Lane; 2. There is not a direct access from the proposed subdivision to South End Road; 3. South End Road and Partlow Road need improvements; 4. The current retention pond may not be able to handle extra runoff; 5. High density is not compatible with surrounding uses; 6. The roadways must be thirty-two feet wide; and 7. The current traffic count on Filbert will increase from 600 daily trips to 900 daily trips (Exhibit 4a).

Mr. Randy L. Howell of 19240 Pine Place has submitted comments stating that the City should grant the applicant a variance to allow the proposed street to connect to South End Road. If the variance is not granted the Zone Change should be denied, reducing the number of homes and the impacts on Filbert Drive and Pease Road (Exhibit 4b).

Mr. and Mrs. Fleming of 11795 Mahogany Drive have submitted comments stating that they object to the proposed Zone Change because there is inadequate Police Staff to patrol the area, John McLoughlin Elementary School is overcrowded, and that the increased traffic would be a burden due to the developing traffic problems and road maintenance issues (Exhibit 4c).

Mr. and Mrs. O'Brien of 19364 South Hazelgrove Drive have submitted comments in opposition to the proposed Zone Change since the developer should have known the existing zoning designation and should not be able to change the zoning simply to enable him to sell more lots (Exhibit 4d).

III. DECISION-MAKING CRITERIA:

The relevant criteria for a zone change review and decision are in Chapter 17.68 of the Oregon City Municipal Code (OCMC).

Chapter 17.68, "Changes and Amendments"

(a) **17.68.010 Initiation of the amendment.**

A text amendment to this title or the comprehensive plan, or an amendment to the zoning map or the comprehensive plan map, may be initiated by:

A. A resolution request by the commission;

B. An official proposal by the planning commission;

C. An application to the planning division presented on forms and accompanied by information prescribed by the planning commission.

All requests for amendment or change in this title shall be referred to the planning commission. (Ord. 91-1007 §1(part), 1991; prior code §11-12-1)

Finding: The applicant, Great American Development, has submitted a complete application to the planning division, thereby initiating the amendment in accordance with 17.68.010.C. The applicant's application form, exhibit drawings, and narrative information are attached as Exhibits 2 and 5. The application was deemed complete on December 18, 2002.

(b) **17.68.020 Criteria.**

The criteria for a zone change are set forth as follows:

A. The proposal shall be consistent with the goals and policies of the comprehensive plan.

Finding: Consistency with comprehensive plan policies and goals is addressed in Section IV of this staff report.

B. That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed by the zone, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone.

Finding: The applicant states that provisions for water, sewer, and storm drainage have been discussed with the City, and it appears that these public facilities will be made available to the site and will be capable of supporting a single-family subdivision development at the R-8 density of 5.5 housing units per acre. Public water, sanitary sewer, and storm sewer are available from lines in the street stubs. Public water will extend an existing eight-inch line through the property and will connect with a twelve-inch line in South End Road. Public sewer will be provided by sewer lines draining towards Mahogany Drive and South End Road and storm water will be collected in a system of catch basins and directed to an existing storm detention pond located in the vicinity of Mahogany Drive and Filbert Drive south of the site (Exhibit 2).

The Westling Farms/South End Neighborhood Association submitted comments stating: "Flooding/Drainage Concerns: The current retention pond on Filbert Drive needs to be assessed to ensure it's capable of handling extra runoff" (Exhibit 4a).

Staff is performing a preliminary review of the subdivision application, identified as TP 02-03, and if the existing pond is found to be too small to absorb the increased flows, there is available land to expand the existing pond. There are also alternative designs, such as underground storage facilities, that when used independently or in combination with the existing pond, may be used to meet the city's storm water requirements. The applicant is required to demonstrate the ability to meet the City's storm water requirements during the subdivision application review.

The applicant states that a Traffic Analysis Report was prepared by Lancaster Engineering for the subdivision and found no problems with any intersections or traffic movement on the streets around the development through 2017 (Exhibit 6). Traffic increases generally will affect intersections in the vicinity. These intersections have been identified as needing improvements by Oregon City's Transportation System Plan (TSP), however; the proposed zone change will not cause a need for any of the identified improvements, and therefore will not have a significant impact on any of Oregon City's transportation facilities. The proposed connection of existing temporarily terminated streets to the north and south of the subject site will potentially facilitate vehicular and pedestrian movements by completing planned connections (Exhibit 5).

A review of the Traffic Analysis Report submitted by the applicant was performed by David Evans and Associates (Exhibit 3). The review determined that the expected traffic impacts from the proposed zone change from R-10 to R-8, which will add 3-5 homes, are expected to be negligible over a 20-year horizon. The South End/Warner Parrott intersection is expected to experience failing operations in the next couple of years; however, the level of improvements identified in the City's TSP may not be needed, at least initially, to extend the term of adequate operations for this intersection. Staff has determined that the overall impacts on the transportation system, including the proposed interior road designed as a cul-de-sac or connection to South End Road, will meet the City's requirements for a Zone Change.

C. The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district.

Finding: The applicant states that the Traffic Analysis Report (Exhibit 6) finds that a change in zoning to R-8 would not cause a significant impact to adjacent streets or intersections. Filbert Drive was reclassified as a Neighborhood Collector in the Transportation System Plan, which is intended to serve as a major street within residential neighborhoods, collect and distribute traffic from collectors and arterials to locals streets, serve access and local circulation, and in this case, provide connectivity between South End Road and Central Point Road (TSP pg 5-15, Exhibit 7).

Staff has concurred with the applicant's assessment that signal warrants will not be met at the South End/Partlow Road intersection through year 2004 with or without the proposed project. The Warner Parrot/South End intersection meet the PM peak hour warrant today; however, the proposed project does not trigger the need for the improvements identified in the TSP, but proportionally adds to the need (Exhibit 3).

D. Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment. (Ord. 91-1007 §1(part), 1991: prior code §11-12-2)

Finding: The Oregon City Comprehensive Plan was acknowledged by the Land Conservation and Development Commission on April 16, 1982. The Comprehensive Plan implements the statewide planning goals on a local level. The acknowledged Comprehensive Plan includes specific goals and policies that apply to the proposed zone change. Therefore, it is not necessary to address the statewide planning goals in response to this criterion. The Comprehensive Plan goals and policies are addressed in Section IV of this staff report.

17.68.025 Zoning changes for land annexed into the city.

A. Notwithstanding any other section of this chapter, when property is annexed into the city from the city/county dual interest area . . .

B. Applications for these rezonings

Finding: The subject site is within the city limits. This criterion is not applicable.

17.68.030 Public hearing.

A public hearing shall be held pursuant to standards set forth in Chapter 17.50.

A. Quasi-judicial reviews shall be subject to the requirements in Sections 17.50.210 through 17.50.250. (Note: the section numbers cited in the Code are incorrect and should be Sections 17.50.120 through .160.)

B. Legislative reviews shall be subject to the requirements in Section 17.50.260. (Note: the section number cited in the Code is incorrect: it should be 17.50.170.) (Ord. 91-1007 §1(part), 1991: prior code §11-12-3)

Finding: According to Section 17.50.030 of the Code, zone changes and plan amendments are reviewed through a Type IV process. According to Section 17.50.030.D, "Type IV decisions include only quasi-judicial plan amendments and zone changes." Therefore, the requirements of Sections 17.50.120 through .160 apply.

The applicant attended a pre-application conference with City staff on July 16, 2002. The Pre-Application Conference Summary is attached as Exhibit 8. Transmittals regarding the proposed development plan were mailed on November 19, 2002 to The Hazel Grove/Westling Farm Neighborhood Association and the South End Neighborhood Association.

The applicant submitted the application on October 22, 2002. The application was deemed complete on November 18, 2002. The planning division scheduled the first evidentiary hearing, before the Oregon City Planning Commission, for January 27, 2003. The final hearing, should the Planning Commission recommend approval, is scheduled for February 5, 2003 before the Oregon City City Commission. Notice of the hearing was issued on November 27, 2002 and the property was posted on January 7, 2003, more than 20 days prior to the hearing, in accordance with Section 17.50.090(B).

This staff report has been prepared in accordance with 17.50.120.C.

The hearings shall be conducted in accordance with the requirements of Section 17.50.120, and the review and decision in accordance with Sections 17.50.130 through .160.

This standard is met.

17.68.040 Approval by the commission

If the planning commission approves such request or application for an amendment, or change, it shall forward its findings and recommendation to the city commission for action thereon by that body. (Ord. 91-1007 §1(part), 1991: prior code §11-12-4)

Finding: If the Planning Commission approves the applicant's request, the City Commission shall review its findings and recommendations at a public hearing. That public hearing has been scheduled for February 5, 2003.

This standard is met.

17.68.050 Conditions.

In granting a change in zoning classification to any property, the commission may attach such conditions and requirements to the zone change as the commission deems necessary in the public interest, in the nature of, but not limited to those listed in Section 17.56.010:

A. Such conditions and restrictions shall thereafter apply to the zone change;

B. Where such conditions are attached, no zone change shall become effective until the written acceptance of the terms of the zone change ordinance as per Section 17.50-.330. (Ord. 91-1007 §1(part), 1991: prior code §11-12-5)

Finding: Staff has not recommend any Conditions of Approval. This section is not applicable.

17.68.060 Filing of an application

Applications for amendment or change in this title shall be filed with the planning division on forms available at City Hall. At the time of filing an application, the applicant shall pay the sum listed in the fee schedule in Chapter 17.50 (Ord. 91-1007 §1(part), 1991: prior code §11-12-6)

Finding: The applicant has submitted the appropriate application forms and fees. This criterion is met.

IV. Consistency with Comprehensive Plan

The applicable goals and policies of the Comprehensive Plan are addressed in this section.

(B) Citizen Participation

Goal: Provide an active and systematic process for citizen and public agency involvement in the land-use decision-making for Oregon City.

Finding: The City's process includes public notice, public hearings, and notifying neighborhood associations. Public notice was mailed on November 18, 2002 and advertised in the Clackamas Review on November 27, 2002, and the subject property was posted on January 7, 2003.

On November 19, 2002 transmittals were sent to the Citizen Involvement Committee Council (CICC), South End Neighborhood Association, and the Westling Farm/Hazel Grove Neighborhood Association apprising them of the application.

Policy #1

Encourage and promote a city-wide citizen participation program that helps neighborhoods to organize so that they may develop and respond to land-use planning proposals.

Finding: As noted above, the South End and Westling Farm/Hazel Grove Neighborhood Associations and the CICC were notified. Comments from the Neighborhood Association and citizens that have commented on the proposal have been incorporated into this report.

Policy #2

Provide neighborhood groups and citizens with accurate and current information on policies, programs and development proposals that affect their area; institute a feedback mechanism to answer questions from the public.

Finding: The notice, meeting, and public hearings related to the proposal demonstrate consistency with this policy. In addition, this staff report and the file containing project information were available for public review seven days prior to the first evidentiary hearing.

Policy #4

Encourage citizen participation in all functions of government and land-use planning.

Finding: Citizen participation has been encouraged through mailing notice of the proposal and the public hearings, and through posting the project site with notice of the proposal.

(C) Housing

Goal: Provide for the planning, development and preservation of a variety of housing types at a range of price and rents.

Finding: The applicant states the area is designated for a low-density residential use. The R-8 zone permits 5.5 dwellings per acre, or 36 dwellings on the 8.09-acre subject site (assuming 20% of the property is used for public right-of-way). The R-10 zone allows 4.4 dwellings per acre, or 29 dwelling units for the subject site (assuming 20% of the property is used for public right-of-way). Both the R-8 and R-10 zones allow single-family dwellings, with 8,000 or 10,000 square foot minimum lots sizes, respectively. The R-8 zone allows smaller lots that can be expected to provide more affordable housing than the R-10 zone. Also, the requested zone change to R-8 would be similar to the R-8 zoned properties bordering a majority of the site, allowing for a more consistent development pattern with the adjacent properties (Exhibit 5).

The subject site currently is designated low density residential on the Comprehensive planning. Low density residential permits the R-8 zoning designation. The City encourages planning, development, and preservation of a variety of housing types at a range of price and rents. The proposal is consistent with this Goal.

Policy #3

The City shall encourage the private sector in maintaining an adequate supply of single and multiple family housing units. This shall be accomplished by relying primarily on the home building industry and private sector market solutions, supported by the elimination of unnecessary government regulations.

Finding: The R-8 zone allows smaller lots that can be expected to provide more affordable housing than the R-10 zone and the requested zone change to R-8 would be similar to the R-8 zoned properties bordering a majority of the site, allowing for a more consistent development pattern with the adjacent properties. Currently, 15 of the 24 (62.5%) properties and 1,863 linear feet of the 2,897 (64.3%) linear feet of properties abutting the subject property are zoned R-8 Single Family Residential. The proposal is consistent with this policy.

(F) Natural Resources, Natural Hazards

Goal: Preserve and manage our scarce natural resources while building a livable urban environment.

Finding: The vacant subject site is located in an urbanized area. The site is not within a water resources area, and there are no significant natural resources located on the property other than a large oak tree along the northern property line that the applicant is proposing to save. The proposal to rezone the site from R-10 to R-8 would not significantly change the amount of development allowed, only the type. The proposal is consistent with this goal.

Policy #1

Coordinate local activities with regional, state and federal agencies in controlling water and air pollution.

Finding: This policy is not directly applicable to the proposal. Local, regional, state, and federal regulations related to water and air pollution will be addressed when site development is proposed.

Policy #7

Discourage activities that may have a detrimental effect on fish and wildlife.

Finding: The subject site is not within a wildlife habitat area, as identified in the Comprehensive Plan, nor is it located within a water resource area. The subject site is located in an urbanized area and the residential uses allowed in the R-8 zone would not likely discharge pollutants or otherwise have a detrimental effect on fish and wildlife. The proposal is consistent with this policy.

Policy #8

Preserve historic and scenic areas within the City as viewed from points outside the City.

Finding: The site is not within a historic or scenic area and is not situated so as to affect views of such areas from outside the city. The proposal is consistent with this policy.

Policy #9

Preserve the environmental quality of major water resources by requiring site plan review, and/or other appropriate procedures on new developments.

Finding: The proposal will be processed under the appropriate procedures for new development in order to preserve the environmental quality of major water resources. The proposal is consistent with this policy.

Policies adopted through Ordinance 90-1031

Oregon City . . . shall comply with all applicable DEQ air quality standards and regulations.

Finding: Uses allowed in the R-8 district would be expected to comply with DEQ standards and regulations, in compliance with this policy.

All development within the City of Oregon City shall comply with applicable state and federal air, water, solid waste, hazardous waste and noise environmental rules, regulations and standards. Development ordinance regulations shall be consistent with federal and state environmental regulations.

Finding: The proposal will be processed under the appropriate procedures for new development in order to comply with this policy.

(G) Growth and Urbanization

Goal: Preserve and enhance the natural and developed character of Oregon City and its urban growth area.

Finding: The applicant states that land is a scarce resource and must be wisely allocated between uses. One way to wisely use land is to maintain densities at or near the plan designation. The R-8 zone allows 5.5 dwellings per acre while the R-10 zone allows 4.4 dwellings per acre. Actual gross density, owing to the “infill” nature of the site and its long, narrow shape, will be on the order of 3.8 dwelling per acre at the R-8 standard. The greater number of lots translates to the most efficient use of the land, assuming that public services are available and compatibility issues are satisfied (Exhibit 4).

The proposal would add the subject site to the adjacent R-8 district and provide a consistent development pattern with the existing development surrounding the property. Because of its nature, scale, and location, the proposed rezone would preserve the natural and developed character of Oregon City and is, therefore, consistent with this goal.

H. Energy Conservation

Goal: Plan urban land development which encourages public and private efforts toward conservation of energy.

Finding: Rezoning the subject site is consistent with the goal of energy conservation. The site is adjacent to South End Road, which is designated for pedestrian, bicyclist, and transit alternatives. The existing Tri-Met route 79 has service on South End Road. Once the site is developed, residents may take advantage of such alternative forms of transportation, which saves energy over automobiles. Also, the site’s location would allow children to walk to John McLoughlin Elementary School, saving vehicle miles traveled.

I. Community Facilities

Goal: Serve the health, safety, education, welfare and recreational needs of all Oregon City residents through the planning and provision of adequate community facilities.

Finding: The applicant states that urban services are available or can be made available to the site. Police and fire services can be provided; school capacity can be made available and the proposal was deemed as not to conflict with the interests of the Oregon City School District (Exhibit 9). The new housing will contribute to the tax base of Oregon City for public services.

Most of the Community Facilities policies direct the City to conduct certain actions and are not relevant to the proposal. Therefore, they are not addressed individually in this staff report.

Rezoning the property is consistent with the goal and the objectives of its policies because future site development will utilize existing public facilities. Service adequacy will be reviewed through subdivision review prior to site development, and improvements consistent with this goal may be required at that time.

Policy #5

The city will encourage development on vacant buildable land within the City where urban facilities and services are available or can be provided.

Finding: The applicant states that provisions for water, sewer, and storm drainage have been discussed with the City, and it appears that these public facilities will be made available to the site and will be capable of supporting a single-family subdivision development at the R-8 density of 5.5 housing units per acre. Public water, sanitary sewer, and storm sewer are available from lines in the street stubs. Public water will extend an existing eight-inch line through the property and will connect with a twelve-inch line in South End Road. Public sewer will be provided by sewer lines draining towards Mahogany Drive and South End Road and storm water will be collected in a system of catch basins and directed to an existing storm detention pond located in the vicinity of Mahogany Drive and Filbert Drive south of the site (Exhibit 5).

Policy #7

Maximum efficiency for existing urban facilities and services will be reinforced by encouraging development at maximum levels permitted in the Comprehensive Plan and through infill of vacant City land.

Finding: The parcel has a Comprehensive Plan designation of “LR” Low Density Residential, which allows the proposed R-8 Single-Family Dwelling District. The subdivision site is an “infill” type of development, i.e. all adjacent properties are developed. The project will connect two temporarily terminated local streets, Pine Place and Mahogany Drive (Exhibit 2).

(J) Parks and Recreation

Goal: Maintain and enhance the existing park and recreation system while planning for future expansion to meet residential growth.

Finding: The proposal does not affect any existing or planned parks or recreation areas. The proposal is located approximately 250 feet north of the McLoughlin Elementary School.

(L) Transportation

Goal: Improve the systems for movement of people and products in accordance with land use planning, energy conservation, neighborhood groups and appropriate public and private agencies.

Finding: The applicant is proposing to connect two north-south local streets, identified as Pine Place and Mahogany Drive, which will complete the internal transportation system linking Filbert Drive, which is classified as a Neighborhood Collector, and Partlow Road, which is classified as a Collector.

Policy #6

Sidewalks will be of sufficient width to accommodate pedestrian traffic.

Finding: Sidewalks included in future site redevelopment will be constructed to City standards.

Policy #14

The bikeway on South End Road will be extended to South End School as funding becomes available

Finding: South End Road requires striped bike lanes as part of the Oregon City Transportation System Plan – Bicycle System Plan. Bike lanes included in future site development will be constructed to City standards.

(M) Comprehensive Plan Map

Goal: Maintain and review the Comprehensive Plan Map as the official long-range planning guide for land use development of the City by type, density and location.

Finding: The proposal is for a zone change and is not a request to amend the Comprehensive Plan Map designation for the site, which is Low Density and allows the R-8 Single-Family Residential zoning designation.

RECOMMENDED CONCLUSION AND DECISION

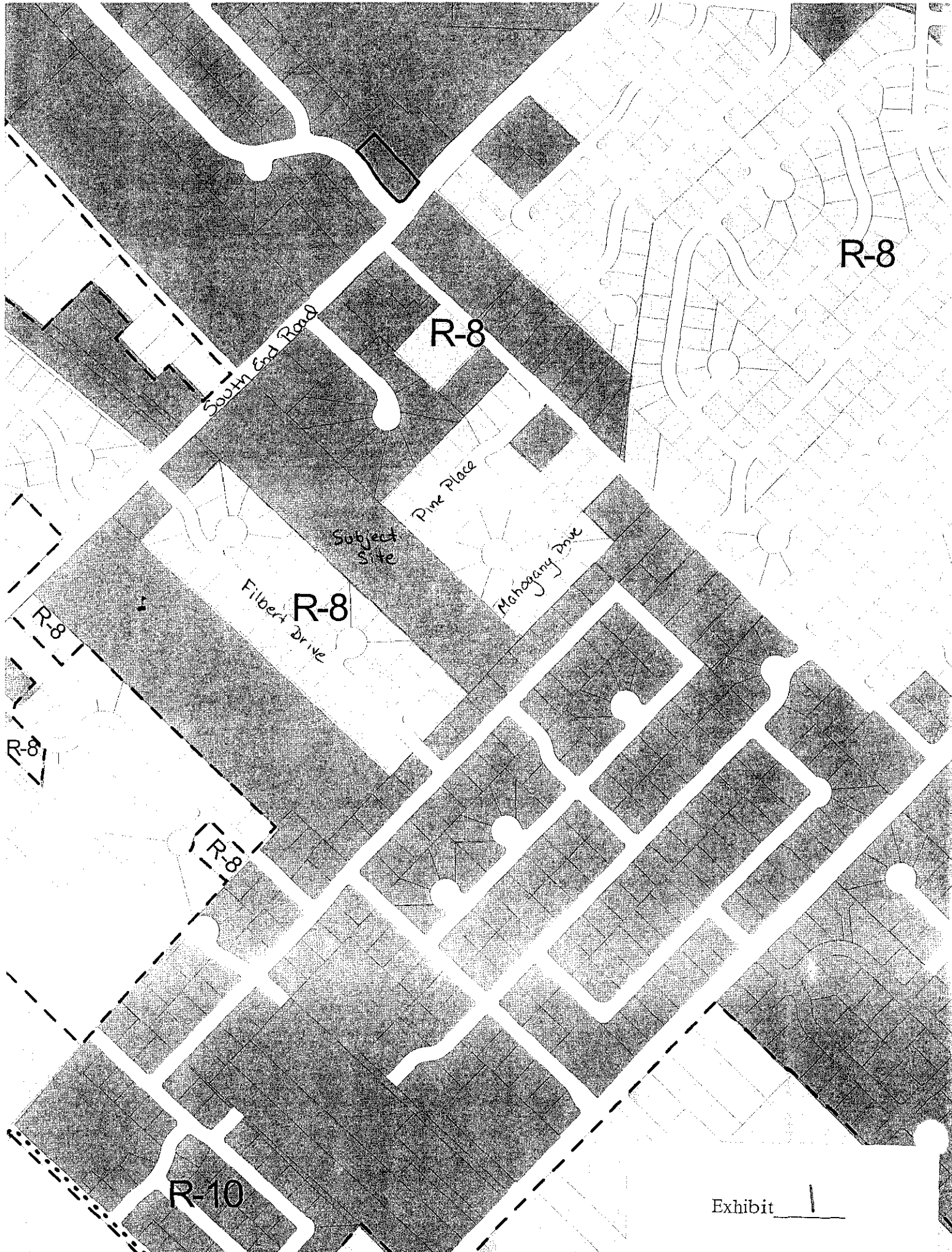
The proposed zone change is consistent with all applicable criteria of the zoning ordinance and Comprehensive Plan.

Staff would recommend that the Planning Commission forward the proposed Zone Change, Planning File ZC 02-03, with a recommendation of approval to the City Commission for a public hearing on February 5, 2003.

EXHIBITS

The following exhibits are attached to this staff report.

1. Vicinity map
2. Site Map
3. David Evans & Associates Traffic Review; dated January 10, 2003
4. a. Westling Farms/South End Neighborhood Association
b. Mr. Howell letter; dated December 8, 2002
c. Mr. and Mrs. Fleming letter; dated December 18, 2002
d. Mr. and Mrs. O'Brien letter; dated December 15, 2002
5. Applicant's Narrative
6. Executive Summary of Applicant's Traffic Impact Study; Prepared by Lancaster Engineering; dated October 2002 (Complete Study On File with the City)
7. Transportation System Plan page 5-15
8. Applicant's Pre-Application meeting
9. Oregon City School District Transmittal



R-8

R-8

R-8

R-8

R-8

R-8

R-10

Subject Site

South End Road

Pine Place

Mahogany Drive

Filbert Drive

January 10, 2003

Mr. Tony Konkol
City of Oregon City
PO Box 351
Oregon City, OR 97045

**SUBJECT: REVIEW OF TRAFFIC IMPACT STUDY
 SPAZIANI ZONE CHANGE & RESIDENTIAL SUBDIVISION – TP 02-03**

Dear Mr. Konkol:

In response to your request, David Evans and Associates, Inc. (DEA) has reviewed the Traffic Impact Study (TIS) and site plan submitted by Lancaster Engineering for the proposed Spaziani Property rezone and residential subdivision development located in Oregon City near the South End Road/Partlow Road intersection. The material is dated October 2002.

The TIS describes the current development proposal to build a 31-unit subdivision of single-family detached homes. To accommodate this number of homes on the site, a rezone from R-10 to R-8 is required and being proposed. Site access will be provided via connections to existing Pine Place and Mahogany Drive. No direct access to South End Road is proposed.

Overall Finding

The applicant's traffic impact analysis generally meets the City's requirements. The proposed development is not expected to result in needed off-site mitigation. The full extent of site improvements attributable to the applicant as part of this project is unclear but discussed herein under site plan review. The applicant has not addressed intersection sight distance and needs to ensure that new roadway intersections to be built through this project meet AASHTO guidelines. The South End/Warner Parrott intersection is expected to experience failing operations in the next couple years. The level of improvement identified in the City's TSP may not be needed, at least initially, to extend the term of adequate operations for this intersection.

Comments

1. *Existing conditions* – The applicant reasonably described the existing transportation system surrounding the proposed project site and appropriately accounted for planned transportation facility improvements identified in the City's TSP. The applicant used appropriate traffic counts as a basis for operations analysis. The applicant did not address existing safety conditions primarily including the study area crash history and should be required to.
2. *Background conditions* – In developing opening year 2004 background traffic levels without the project, the applicant reasonably accounted for in-process traffic associated with other nearby approved developments by applying a 4.5 percent annual growth rate to existing volumes. This rate was based on

comparison of historical study area traffic counts and therefore also accounts for any regional traffic growth in this area of the City.

Although a zone change is being proposed from R-10 to R-8, the expected traffic impacts from an additional 3-5 homes over a 20-year horizon are expected to be negligible. The applicant was therefore not required to analyze future 20-year traffic conditions associated with the rezone decision.

3. ***Trip Generation/Distribution/Assignment*** – The applicant slightly underestimated trip generation levels for the daily, morning peak hour, and evening peak hour weekday periods. For a development this size, the applicant should have applied the linear regression trip generation equations rather than the trip rates for each period from the Institute of Transportation Engineer's (ITE) *Trip Generation Report, 6th ed.* Justification for use of the trip generation equations is provided on pages 9-11 of the 2001 ITE *Trip Generation Handbook*.

The equations result in modest increases in trip generation during all periods analyzed and therefore does not trigger a need to reanalyze traffic operations in my opinion. However, the higher trip levels should be used when establishing systems development charges (SDC). For example, the 296 weekday trips reported by the applicant using average trip generation rates would increase to 353 trips using the ITE trip generation equations. Evening (PM) peak hour trips would increase from 31 to 37.

The applicant used appropriate methods to distribute and assign site-generated trips from the proposed development to the surrounding roadway system.

4. ***Sight Distance*** – The applicant did not discuss intersection sight distance. The applicant needs to ensure that intersection sight distance guidelines provided by AASHTO are met for the new roadway intersections to be built at Pine Place and Mahogany Drive.
5. ***Signal and Left-Turn Lane Warrants*** – I concur with the applicant's assessment that signal warrants will not be met at the South End/Partlow Road intersection through year 2004 with or without the proposed project. I also concur that the Warner Parrot/South End intersection meets the PM peak hour warrant today and is expected to meet Condition A of the eight-hour warrant by year 2004 with or without the proposed project. The City's TSP (project R-70) identifies the need to realign and signalize the offset intersection and provide exclusive left-turn lanes on all approaches. The proposed project does not trigger the need for these improvements, but proportionally adds to the need.
6. ***Traffic Operations*** – The applicant asserts that the Warner Parrott/South End Road intersection operates at level of service (LOS) D today during peak hours and will degrade to LOS E/F during year 2004 background conditions. The applicant's development would add to this poor level of service, although the extent is unclear as they analyzed their project only assuming a signal was installed. With a signal, the intersection is expected to be able to operate at LOS C with or without the project. I concur with the applicant's analysis.

Today and under year 2004 background conditions, three of the four Warner Parrott/South End Road intersection approaches operate at LOS C or better. During the AM peak hour, the northbound approach

operates at LOS F and during the PM peak hour, the southbound approach operates at LOS F. With the addition of a dedicated northbound right-turn lane (not identified in the TSP) and a southbound left-turn lane as identified in the City's TSP, the intersection could operate at LOS C without a signal for some period of time as an interim project. The city may want to consider this.

The South End/Partlow Road intersection is shown to operate at LOS B during AM operations and at the LOS C/D threshold during PM operations today and under year 2004 background conditions. Although the intersection will continue to operate within the City's standards with the proposed project, PM peak hour operations are expected to degrade to LOS D.

7. **Queuing** – The applicant did not report any queuing results for area intersections. A supplemental memorandum containing a queuing summary for the different development scenarios should be provided. The applicant should also submit the technical output from Synchro to allow validation of their findings.
8. **Mitigation** – I concur with the applicant's assertion that this proposed development does not trigger any off-site mitigation beyond site-specific improvements including sidewalks, and traffic control associated with their new roadways and intersections.

The City's TSP identifies significant expected growth along South End Road between S. 2nd Street and Warner Parrott Road. It calls for intersection improvements including a signal with protected/permitted phasing and exclusive left-turn pockets on all approaches. As development occurs, this level of improvement should be reconsidered. Traffic growth along Lawton Road is expected to be small and may not warrant an exclusive left-turn pocket. A roundabout option should also be considered.

9. **Site Plan Review** – The applicant's site plan indicates that sidewalks will be provided on both sides of the new roadways to be built.

A 10-foot pedestrian/bicycle accessway connecting the cul-de-sac to South End Road is identified and will provide an important connection to public transit along South End Road. The accessway should be hard surfaced (asphalt) for bicycle use and illuminated in some fashion intended to improve safe evening use while minimizing distraction to adjacent homes (perhaps 12-foot shoebox lights). Bollards at each end of the path should be installed to prevent use by motor vehicles. Lighted bollards are available and should be considered. The path should be fenced but consideration should be given to whether the fencing should be obscuring (e.g., a board fence) or more open (e.g., cyclone). South End Road is identified to receive bike lanes (TEP project R-5). The connection between these bike lanes and the project proposed pedestrian/bicycle path should be considered.

The site plan calls for a right-of-way dedication along the east side of South End Road. The applicant indicates that South End Road is intended for widening to a three-lane section. I see no reference to this widening in the TSP. Rather, project R-26 from the TSP indicates an intent to construct curb, gutter, and sidewalks along both sides of South End Road from Partlow road to the UGB and project B-5 calls for widening to provide directional 4-6 foot bike lanes from Barker Avenue to the UGB.. The need for this right-of-way dedication should be clarified. If the applicant is responsible for half-street improvements

Mr. Tony Konkol

Page 4

along South End Road, they should be constructed as part of this project. If the City desires to complete the full TSP project at one time, the applicant should fund their portion of the improvements now.

In conclusion, I find that the applicant's traffic impact analysis generally meets the City's requirements. If you have any questions or need any further information concerning this review, please call me at 503.223.6663.

Sincerely,

DAVID EVANS AND ASSOCIATES, INC.

Mike Baker, PE
Senior Transportation Engineer

MJBA:pao

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CITY OF OREGON CITY - PLANNING DIVISION
PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304
Phone: (503) 657-0891 Fax: (503) 722-3880

TRANSMITTAL

November 19, 2002

IN-HOUSE DISTRIBUTION

- ☒ BUILDING OFFICIAL
- ☒ ENGINEERING MANAGER
- ☒ FIRE CHIEF
- ☒ PUBLIC WORKS- OPERATIONS
- ☒ CITY ENGINEER/PUBLIC WORKS DIRECTOR
- ☐ TECHNICAL SERVICES (GIS)
- ☐ PARKS MANAGER
- ☐ ADDRESSING

TRAFFIC ENGINEER

- ☒ Mike Baker @ DEA

MAIL-OUT DISTRIBUTION

- ☒ CICC
- ☒ NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR
- ☒ N.A. LAND USE CHAIR *Westling Farms/Southend*
- ☐ CLACKAMAS COUNTY - Joe Merek
- ☐ CLACKAMAS COUNTY - Bill Spears
- ☐ ODOT - Sonya Kazen
- ☐ ODOT - Gary Hunt
- ☒ SCHOOL DIST 62
- ☐ TRI-MET
- ☐ METRO - Brenda Bernards
- ☐ OREGON CITY POSTMASTER
- ☒ DLCD

RETURN COMMENTS TO:

Tony Konkol
Planning Division

COMMENTS DUE BY: **December 12, 2002**

HEARING DATE: January 27, 2003
HEARING BODY: Staff Review: PC: X CC:

IN REFERENCE TO

FILE # & TYPE:

TP 02-03: Staff Review

VR 02-10: PC Hearing 1/27/03

ZC 02-03: PC Hearing 1/27/03

PLANNER:

Tony Konkol, Associate Planner

APPLICANT:

Joseph Spaziani/Curt Pellatz

REQUEST:

Zone change from R-10 to R-8, Variance to increase cul-de-sac length to 400 feet, and a 31-lot subdivision.

LOCATION:

Map # 3S-2E-12A, Tax Lot 2300.

The application material was referred to you during the Completeness Review for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and will insure prompt consideration of your recommendations. Please check the appropriate spaces below.

_____ The proposal does not
conflict with our interests.

 X The proposal conflicts with our interests for
the reasons stated below. *See below*

_____ The proposal would not conflict our
interests if the changes noted below
are included.

_____ The following items are missing and are
needed for completeness and review:

Signed
Title

Kathy Hogan
Land Use person

PLEASE RETURN YOUR COPY OF THE APPLICATION AND M

Exhibit 4a

RECEIVED
CITY OF OREGON CITY
DEC - 9 AM 10:04

Great American Development
File Number: TP 02-03, ZC 02-03, VR 02-10
Great American Development]
Joseph Spaziani

Rebuttal to Limited Land Use Applications

1. File Number ZC 02-03: The Developer is seeking a zone change from R-10 Single Family Residential to R-8 Single Family Residential. We are opposed to any zone changes
2. File Number TP 02-03: The Developer is seeking approval of a 31-lot subdivision zoned R-8 Single Family Dwelling District.
3. File Number VR 02-10: The Developer is requesting a variance to increase the standard cul de sac length from 350 feet to 400 feet.

The residents of Westling Farm-Hazel Grove and Hazel Meadow subdivisions are opposed to the zone changes because this proposal conflicts with our interests for the reasons below:

- Keep zoning as R-10 because of traffic problems. Traffic problems already exist on Filbert Drive, as the residents have asked Oregon City to install speed humps.
- There is no direct inlet/outlet onto South End Rd. in the current design. This means the majority of traffic for the 31 homes will come down Filbert Drive. The residents of Filbert Drive will not tolerate any increased traffic. Therefore, the design must be changed and the cul de sac either moved to be located adjacent to Mahogany Drive or do not allow a cul de sac for this development. ** have access to S End Rd*
- Road improvement are needed for South End Rd and S. Partlow roads to handle increased traffic from the numerous new developments in the area. Traffic problems on South End Rd are now an everyday occurrence.
- Flooding/Drainage Concerns: The current retention pond on Filbert Drive needs to be assessed to ensure it's capable of handling extra runoff.
- High density is not compatible with surround area. The surrounding neighborhoods are zoned R-10. The only exception is Hazel Meadows, which is, zoned R - 8. Therefore, this development must remain R-10 to be compatible with the surrounding area.
- The road must be 32' curb to curb to allow fire access.
- **CURRENT TRAFFIC COUNT ON FILBERT DR. IS OVER 600 DAILY TRIPS, IT WILL BE PUSHED TO OVER 900 BECAUSE OF THE DEVELOPER**

Thank you for your consideration,

James Medford
Mark [illegible]
Peggy Luckman
[illegible]

Edwin Luckman
Scott [illegible]
Tim Mitchell

William H. Weber

My Militante

David M. Caspary

Ronald D. Haslin

Chuck Tork

Bruce Tank

Minutes for South End Neighborhood Association Meeting

Nov. 21, 2002

*Hazel Grove
Westling Farm NA*

Meeting opened. Members present is attached.

Tony Konkol from the City of Oregon City Planning Department spoke on the Urban Growth Boundary and then answered questions. Discussion of Rose Road mentioned that Rose Road had a pre-application but no application. They cannot have apartments there, only 3 housing units for one lot.

The membership voted to have a moratorium on building on South End Road until improvements are made. Marilyn Nuttall made the motion. Madalin Bohlander 2nd the motion,. It passed.

X There was discussion of the subdivision across from Rose Road called South End Estate. The following were the neighborhood comments.

- Keep zoning R-10 because of traffic problems and flooding in the area. Improvements need to be made on South End and Partlow Roads.
- The road should be 32' curb to curb for fire access.
- There are already traffic problems on Filbert.
- There are no parks close by.
- Drainage concerns, would like to know about retention pond.
- Would like clarification on storm water area.

There was a discussion of traffic problems on South End Road.

Hazel Grove/Westling Farm Neighborhood Association boundaries have been extended to Mc Cord, Partlow, South on South End and Central Point Road.

Comments on Walmart are listed below.

- People were worried about too much traffic on Mollalla especially after all the changes for a Boulevard.
- Citizens do not feel it would add to the jobs. They feel it would take away from existing businesses that are friendly.
- Worried about Newell Creek Canyon sliding.
- Detriment to current economy.
- Traffic impact on Mollalla Ave., Beaver Creek Road, Highway 213 and it would bring traffic up the already crowded Highway 99.
- It doesn't seem to be compatible with the surrounding area.

When asked if the neighborhood had any positive comments. None were given.

Comments on Rose Road construction.

- Water resource problems.
- Traffic Impact and Transportation problems.
- Rose Road is a private road, construction would impact existing neighborhood, development is having a negative impact on existing properties on Rose Road.
- Developers only have to improve ½ of the road.
- People living there have to bring Rose Road up to code.
- Economic impact.
- High density is not compatible with surrounding area.
- Not fair to use road as main road when it is private.

Comments on Urban Growth Boundary.

- Should not have commercial on South End Road. Traffic problems already exist for cars. This would also bring commercial trucks.
- Commercial traffic would need to go on streets that are not built to support heavy traffic. Example: South End Road has sliding problems. The county already does not have funds to fix the problem.
- Power line areas limit the growth already.

The neighborhood voted to write a letter to Tri-Met asking that the new signs have letter a minimum of 2 inches high to let people know which side of the street to stand on. Jim Colson made the motion. Mary Smith 2nd it. The motion passed.

Ideas for the next meeting included having the new mayor speak or more on education.

CPO is meeting on Central Point Road. At 7:00 p.m. Wed. Dec. 4 at John Mc Laughlin School.

A motion was made to adjourn the meeting by Mary Smith. Russ Nuttall 2nd the motion.

Minutes submitted by Kathy Robertson.

DATE: 11/21/02

EVENT: Haygrove/Westling Farm NA + South End A

#	NAMES(S):	ADDRESS:			PHONE #(S):
1	Dave & Mae Koch	STREET: 19378 Vincent Dr.	CITY: Oregon City	ZIP: 97045	HOME: 503-657-6790 WORK:
2	Russ & Marilyn Nuttall	STREET: 19388 Vincent Dr.	CITY: Oregon City	ZIP: 97045	HOME: 503-657-7058 WORK:
3	BRUNO & DORIS AMATTER	STREET: 1230 MAORONA DR.	CITY: O.C.	ZIP: 97045	HOME: 503-656-4062 WORK:
4	John Klucken	STREET: 1182 South End Rd.	CITY: Oregon City	ZIP: 97045	HOME: 503-650-2695 WORK: 503-557-4327
5	JIM KOSEL	STREET: 11466 FINNEGANIS WY	CITY: O.C.	ZIP: 97045	HOME: 651-5860 WORK:
6	Tony Kahl	STREET:	CITY:	ZIP:	HOME: WORK:
7	Don Choate	STREET: 130 Glace St	CITY:	ZIP:	HOME: WORK:
8	M. Jeanne Milliken	STREET: PO Box 601	CITY: OC	ZIP: 97045	HOME: WORK: 503-494-0070

DATE: 11/21/02

EVENT: H9/WFNA & SENA

#	NAMES(S):	ADDRESS:			PHONE #(S):
1	Kathy Hogan	STREET: 19721 S Central Perdue Ave City	CITY: 97045	ZIP: 97045	HOME: WORK:
2	Kathy Robertson	STREET: 210 Elmer Dr. Oregon City OR	CITY: 97045	ZIP: 97045	HOME: WORK:
3	YORIS MARSHALL & HILLA	STREET: 11464 S. SHELBY ROSE	CITY: OC	ZIP: 97045	HOME: 503 723 7321 WORK:
4	Mary Smith	STREET: 191 Warner Parrott Rd	CITY: OC	ZIP: 97045	HOME: 503-655-7946 WORK:
5	Madalin Bohlander Earl "	STREET: 18783 Cathy Adams	CITY: OC	ZIP: 97045	HOME: WORK:
6	Roxanne Reimer	STREET: 11895 Hartwood	CITY: O.C	ZIP: 97045	HOME: 503-722-9751 WORK:
7	Marti Westbrook	STREET: 19465 WESTLING DR	CITY: O.C.	ZIP: 97045	HOME: 503 557-8414 WORK:
8	Judy Schraden	STREET: SA -	CITY: SA	ZIP: SA	HOME: SA - WORK:

Randy L. Howell
19240 Pine Pl
Oregon City, OR 97045
503-557-2219

December 8, 2002

Oregon City Planning Commission
320 Warner Milne Rd
Oregon City, OR 97045

Dear Planning Commissioners:

I am writing to you in regards to a Notice of Limited Use Application for the proposed development called the South End Estates file number TP 02-03.

For the record, I am not against a development being created at Tax Lot 2300. However, I am against the proposed entry and exit of the new home owners that will be living there. As the site plan presently stands, there will only be two ways to enter South End Estates. One neighborhood road will be Pine Place and the other neighborhood road will be Mahogany Drive. Filbert Drive is the only access road on the south side of the proposed development that ties into Pine Place and Mahogany Drive.

Recently, neighbors of our development that use Filbert Drive to gain access to our properties (not like others that just use it as way to tie onto South End Road) had a meeting to discuss concerns about the speed and the amount of traffic using this road. When the new 90 home Hazel Creek Farm Subdivision is complete on Central Point, Filbert Drive will be extremely active due to those home owners trying to gain access to South End Road and taking their children to John McLoughlin elementary school. With the edition of South End Estates, traffic will also be forced to come down Filbert Drive or Partlow Road for access creating even more traffic congestion.

I would suggest that a variance be given allowing a road to be built onto South End Road directly from the proposed development. As I understand, there is city code that does not allow access onto a main arterial if there are other roads within 500 feet of the developing land. A variance would allow the new homeowners direct access to their homes allowing them to use other surface streets as a secondary choice not the only choice. When this variance is given, file number VR 02-10 is not needed and should be denied.

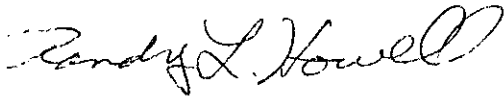
If a variance for direct access from South End Road is denied, then file number ZC 02-03 should be denied. The lots need to stay at 10,000 square feet. When

there are fewer homes being built there will be a lower number of vehicles traveling the side streets.

In summary, please create a variance for direct access from South End Road into South End Estates. If this variance is denied then deny ZC 02-03 and leave the lots as they were originally drafted at 10,000 square foot minimizing some of the traffic.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Randy L. Howell". The signature is written in dark ink and is positioned above the printed name.

Randy L. Howell

December 18, 2002

Oregon City Planning Division
Oregon City Hall
320 Warner Milne Road
Oregon City, Oregon 97045

Dear Planning Manager,

We sincerely ask that you consider our request. We object to the request of: Great American Development to change the zoning of Tax Lot 2300 to R-8 Single-Family status. We request that you **DECLINE** them this change and keep the zoning R-10 Single-Family. Please consider these urgent reasons for our point:

- 1) In our opinion, we don't have adequate Police Staff to police the area. Until we do have enough officers, it would be unwise to change zoning to add more homes.
- 2) John McLoughlin Elementary School is experiencing overcrowding. Until our school funding problem is remedied it would be unwise and cruel to the teachers and students who attend to take actions to add to their overcrowding problem.
- 3) The increased traffic in our neighborhood and surrounding area would be a burden due to the developing traffic problems and road maintenance issues that the city and county are trying to keep up with.

We voted to pass the Police and School measures on the ballot this Fall 2002. We were very concerned that the citizens in Oregon City were unwilling to pay for these needed services. Let's not add more burdens to the needs of the community by overdeveloping areas which are zoned appropriately. Keeping Tax Lot 2300 an R-10 Single-Family status would signal to my family and neighbors that Oregon City cares about how the development of our area affects our Police, Schools, and roadways. Let's think to the future and make good decisions that keep this area demographically stable. Thank you so much for hearing our concerns!

Sincerely,

Mr. and Mrs. Mark Fleming

Mr. And Mrs. Mark Fleming
11795 Mahogany Court
Oregon City, OR 97045

02 DEC 18 AM 11:06
RECEIVED
CITY OF OREGON CITY

Exhibit 4c

December 15, 2002

Tony Konkol
Oregon City Planning Division
320 Warner Milne Road
Oregon City, OR 97045

Dear Mr. Konkol

I am writing in reference to the land use applications filed by Great American Development under the following file numbers:

TP 02-03
ZC 02-03
VR 02-10

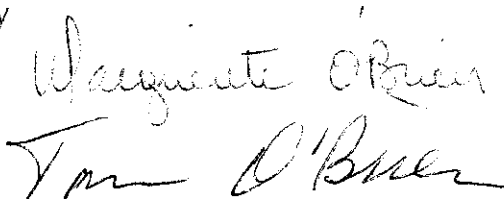
After careful review of the requests by Great American Development, I would like to register the following comments for inclusion in the staff report regarding these matters.

Reference VR 02-10, I have no objection to this request.

Reference ZC 02-03 and TP 02-03, I strenuously object to a change in zoning from R-10 to R-8. The property owner, particularly as he is a developer, should have been aware of the R-10 designation for this parcel of property prior to the time he purchased the property. We as neighbors should not be required to live with higher density simply to enable him to sell more lots. The developer should have no problem using the space to develop the 23 lots that will fit on the property with its current R-10 designation. If he develops within the current R-10 zoning there will be no need to approve either.

We checked the zoning density of properties near ours at the time we purchased our home. Had the property involved in this land use application, been designated R-8 at that time we would not have purchased a home in Oregon City.

Sincerely

The block contains two handwritten signatures in cursive. The top signature is 'Marguerite O'Brien' and the bottom signature is 'Tom O'Brien'.

Tom and Marguerite O'Brien
19364 S. Hazelgrove Drive
Oregon City, OR 97045-6945

Exhibit 4d

Application for Zone Change

Applicant	Great American Development 16500 S. Forsythe Road Oregon City, OR 97045 (503) 655-6494
Representative	Sisul Engineering, Inc. 375 Portland Avenue Gladstone, OR 97027 (503) 657-0188 Contact: Tom Sisul
Location	Southwest of Partlow Road, southeast of South End Road.
Legal Description	Tax Lot 2300, Map 3 1E 12A
Comprehensive Plan	Low Density Residential
Zoning	R-10 Proposed R-8
Site Size	8.09 Acres
Proposal	Zone change to R-8

Site Description

The site is located in the southeastern part of Oregon City, southwest of Partlow Road and southeast of South End Road, with frontage on South End Road.

The site is vacant. There is one large oak tree on the site, near the east property boundary and the east termination of Mahogany Drive (please refer to the "Existing Conditions" map, Sheet 2). Pine Place and Mahogany Drive both temporarily terminate at the site's east and west boundaries.

South End Road is classified as a minor arterial; both Pine Place and Mahogany Drive are considered local streets.

The site is nearly flat, with very slight slope from north to south. Grades are generally less than 6%.

Adjacent properties are occupied by single-family residences on lots in subdivisions developed to R-8 standards. Land on the south (south of Mahogany Drive) and north and northwest (vicinity of South End Road) is developed with subdivisions in R-10 zoning.

Proposal

The applicant requests a zone change to R-8 Single Family Dwelling District and proposes to create a 31-lot subdivision (submitted as a separate application). The proposed change is consistent with the Comprehensive Plan designation (low density residential) and would allow development of the site with lot sizes similar to those in adjacent subdivisions.

The zone change satisfies all policies and requirements of the City's Codes, as described in the following narrative.

Applicable Criteria and Standards

Applicable criteria and standards of the Oregon City Development Code are found in Title 17 Zoning.

Chapter 17.68 Zoning Changes and Amendments

17.68.010 Initiation of the amendment - This section authorizes the planning commission to consider a request for zone change.

17.68.020 Criteria - This section sets for the criteria for a zone change:

A. The proposal shall be consistent with the goals and policies of the comprehensive plan.

Response: The site is in an area designated for single family residential development by Oregon City's Comprehensive Plan.

The Comprehensive Plan requires that an adequate supply of land be available for projected housing needs and that the private sector be encouraged to maintain an adequate housing supply. An adequate supply of land is best maintained by wisely using the land that is available, increasing densities when physical constraints do not pose hazards to

future residents. Urbanization policies call for extension of services along with the development of land and the best use of land within the Urban Growth Boundary.

This request for zone change supports the housing, urbanization, and public facilities goals as listed in the Comprehensive Plan, by making available for residential development a property which has public services available and which is immediately adjacent to existing, urban type development. Urban services are available and capable of supporting uses allowed in the R-8 zone.

The following specific comprehensive plan policies are applicable:

Housing Element - This City's intention is to provide for a variety of housing types at a range of prices and rents, by encouraging the private sector to maintain an adequate supply of single and multiple family housing.

Comment: The area is designated for low density residential use. The R-8 zone permits 5.5 dwellings per gross acre, or 44 dwellings allowable on the 8.09 acre site. The R-10 zone allows 4.4 dwellings per gross acre, or 36 dwellings for 8.09 acres. Both the R-8 and R-10 zones allow single family dwellings, with 8,000 or 10,000 square foot lot minimum, respectively.

The R-8 zone allows smaller lots than the R-10 zone, and therefore could be expected to provide more affordable housing.

The R-8 zone, with 8,000 square foot lots, would be similar to the R-8 zoned properties bordering most of the site. An R-8 designation would allow development to be more consistent with adjacent developments.

Either designation would be consistent with the Comprehensive Plan designation of low density residential and with the Housing Element, which calls for a variety of housing types to be allowed in the City.

Growth & Urbanization Element - The City's intention is to manage scarce natural resources while building a livable urban environment and to provide for an orderly and efficient transition from rural to urban land use.

Comment: Land is a scarce resource and must be wisely allocated between uses. One way to wisely use land is to maintain densities at or near the plan designation. The R-8 zone allows 5.5 dwellings per gross acre while the R-10 zone allows 4.4 dwellings per gross acre. Actual gross density, owing to the "infill" nature of the site and its long, narrow shape, will be on the order of 3.8 dwellings per acre. The greater number of lots translates to most efficient use of the land, assuming that public services are available and compatibility issues are satisfied. However as noted, the density allowed by the R-10 designation cannot be achieved, owing to dimensional requirements that cannot be satisfied on the long, narrow site.

The R-8 zone would allow lots similar in size and arrangement to adjacent developments.

Public services are available, or can be made available, to the site for either the R-8 or R-10 density. Sewer, water, and storm water lines, and public streets are available at the site's boundaries and have been planned to accommodate development of the site. Therefore, the timing is appropriate for the land to be considered for development now.

Community Facilities Element - The City's goal is to encourage development on vacant buildable land within the city where urban facilities and services are available or can be provided and to encourage densities at maximum levels permitted.

Comment: Urban services are available or can be made available to the site. Police and fire services can be provided; school capacity can be made available.

Public water, sanitary sewer, and storm sewer are available from lines in the street stubs. Public water will extend an existing eight inch line through the property and will connect with a twelve inch line in South End Road.

Public sewer will be provided by gravity sewer lines draining towards Mahogany Drive and South End Road.

Storm water will be collected in a system of catch basins and directed to an existing storm detention pond located in the vicinity of Mahogany drive and Filbert drive (south of the site). This pond will be reconstructed as necessary to comply with current standards. Please refer to the preliminary "Utility Plan" (Sheet 3).

Proposed density is 5.5 per gross acre for the R-8 zone; actual density for the proposed subdivision will be 3.8 per gross acre. There is no physical constraint, such as flood plain or unstable soils that limits development of the site at this density, which would allow for the optimum utilization of the public facilities that will be installed for any future subdivision and to support public investments in utility facilities.

Therefore, this discussion of plan policies demonstrates that the proposal complies with Oregon City's Comprehensive Plan.

B. That public facilities and services... are presently capable of supporting the uses allowed by the zone, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone.

Response: The applicant has discussed provision of water, sewer, and storm drainage with the City and, based on those discussions and analysis of the project engineer, it appears that these public facilities will be made available to the site and will be capable of supporting a single family subdivision at the R-8 density.

Public water, sanitary sewer, and storm sewer are available from lines in the street stubs. Public water will extend an existing eight inch line through the property and will connect with a twelve inch line in South End Road.

Public sewer will be provided by sewer lines draining towards Mahogany Drive and South End Road.

Storm water will be collected in a system of catch basins and directed to an existing storm detention pond located in the vicinity of Mahogany Drive and Filbert Drive (south of the site). This pond will be reconstructed as necessary to comply with current standards. Please refer to the preliminary "Utility Plan" (Sheet 3).

A Traffic Analysis Report was prepared by Lancaster Engineering for the subdivision proposal. It finds no problems with any intersections or traffic movement on streets around the development through 2017. However, traffic increases generally will affect intersections in the vicinity. These intersections have been identified as needing

improvements by Oregon City's Transportation System Plan. The proposed zone change will not cause a need for any of the identified improvements, and therefore will not have a significant impact on any of Oregon City's transportation facilities. The proposed connection of existing temporarily terminated streets will potentially facilitate vehicle and pedestrian movements by completing planned connections in this part of the community.

Therefore, this criterion is satisfied because public facilities and services are available, or can be made available, to serve the site for the R-8 zoning designation. In addition, development to the highest reasonable density makes most efficient use of the public investment in providing services for the area.

C. The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district.

Response: The Traffic Analysis Report finds that a change in zoning to R-8 would not cause a significant impact to adjacent streets or intersections.

Therefore, this criterion is satisfied because the change to R-8 zoning has almost no impact on the overall transportation system.

D. Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.

Response: No statewide goals apply to this proposed zoning change.

17.68.025 Zoning changes for land annexed into the city - An annexation is not involved with this application; this section does not apply.

Conclusion

The foregoing narrative describes the proposed zone change and land division with variance. The narrative and plans demonstrate that the proposal is generally in conformance with applicable criteria and standards identified in the Community Development Code. Therefore, the application should be approved as submitted.



EXECUTIVE SUMMARY

1. A zone change from R-10 to R-8 has been proposed for a site on the southeast side of South End Road between Partlow Road and Filbert Drive in Oregon City. Following the zone change, a single-family residential subdivision is planned with approximately 31 homes. The subdivision will connect four existing street stubs and will not have direct access to South End Road.
2. The proposed development is expected to generate approximately 23 trips during the morning peak hour, with 6 entering the site and 17 exiting. The evening peak hour is expected to in 31 total trips, with 20 entering and 11 exiting. The estimated daily traffic volume is 296 trips, with half entering and half exiting the site.
3. The intersection of South End Road and Warner Parrott Road is currently operating at an acceptable level of service, although if traffic volumes continue to increase at the same rate they have in recent years, the operation of the intersection will degrade significantly in the near future. The Oregon City TSP identifies a future need for realignment and signalization at the intersection. This improvement is listed as a long term project (6-20 years), but may be needed much sooner to avoid a failing level of service at the intersection.
4. The intersection of Partlow Road and South End Road is currently operating at favorable levels of service and will continue to operate favorably for all scenarios examined. The TSP identifies the need to realign the offset of Partlow Road and Oaktree Avenue within the next five years. When this realignment project is built, left-turn lanes should be constructed on South End Road in both directions. A southbound left-turn lane is warranted by existing evening peak hour traffic volumes.
5. The proposed residential subdivision will not trigger the need for any of the improvements discussed above. The development will be required to pay system development charges for transportation, which should be directed to necessary improvements such as those identified here.

Roadway Segment	1989 Classification	Reclassification	Reasoning
Hilda Street/Alden Street/Barclay Hills Drive: Molalla Avenue to the end of Barclay Hills Drive	Local Street	Neighborhood Collector	Alignment currently serves the developing neighborhoods north of the Mountain View Cemetery and east of Molalla Avenue (major arterial); a traffic signal currently exists at the Molalla Avenue/Hilda Street-Holmes Lane intersection making this connection to Molalla Avenue more attractive to motorists than the unsignalized Barclay Hills Drive access.
Barker Avenue/Charman Street: South End Road to Linn Avenue	Local Street	Neighborhood Collector	Corridor serves to provide a reasonably direct neighborhood connection to South End Road
Filbert Drive/Salmonberry Drive – Skellenger Way	Local Street	Neighborhood Collector	Provides connectivity between South End Road and Central Point Road.
Frontier Parkway	Local Street	Neighborhood Collector	Provides connectivity between Meyers Road and Leland Road.

The proposed new connections are separated into two categories: those recommended to accommodate growth and new development, and those recommended as enhancements to the connectivity and operations of the existing roadway network. Table 5-4 outlines the new roadway connections based on these two categories.

The need for each of the facilities identified in Figure 5-1 and Table 5-4 will be driven, in large measure, by future development within the City's Urban Growth Boundary. Where the identified future connections are located outside of the Urban Growth Boundary, improvements will comply with state requirements set forth in OAR 660-012-0065 and 0070 (requirements pertaining to transportation improvements on rural land).

Again, it should be stressed that the location of the potential new roadways shown on Figure 5-1 is only an approximate representation of the recommended connection and that the actual roadway alignment will be determined based on identified constraints and specific development plans for the individual areas.

In addition to the roadway connections identified above, the City is preparing a Conceptual New Street Plan Map that will provide guidance to the City, land owners, and developers on desired street connections that will improve local access and circulation, and preserve the integrity of the regional street system. The map will be prepared for contiguous areas of vacant and redevelopable parcels of five or more acres within Oregon City. This map will be prepared to comply with the Design Standards for Street Connectivity presented in the Metro Regional Transportation Plan (RTP). The map and code language to ensure development compliance will be adopted by the City in the spring or early summer 2001 (RTP compliance deadline in August 2001).

Exhibit 7

CITY OF OREGON CITY

PRE-APPLICATION CONFERENCE SUMMARY

Pre-application conferences are required by Section 17.50.030 of the City Code, as follows:

- (A) PURPOSE: The pre-application conference is to provide the applicant the necessary information to make an informed decision regarding their land use proposal.
- (B) A pre-application conference is required for all land use permits.
- (C) Time Limit: A pre-application conference is valid for a period of six (6) months.
- (D) An omission or failure by the Planning Division to provide an applicant with relevant information during a pre-application discussion shall not constitute a waiver of any standard, criterion, or requirement of the City of Oregon City. Information given in the conference is subject available information and may be subject to change without notice. *NOTE: The subsequent application may be submitted to any member of the Planning Staff.*

PRE-APP # 02-37 / DATE: 7-16-02
APPLICANT: Grant American / Tom Sisu
SITE ADDRESS: 312 KA TL 2500 (South End Road)
PROPERTY DESCRIPTION: _____
STAFF: Devin Doherty, Christina Roberts ZONING: R-10
PROPOSED USE/ACTIVITY: TP/2C

INFORMATION NECESSARY TO BEGIN DEVELOPMENT: This listing of information does not preclude the Community Development Department or hearings body from requesting additional data necessary to make a recommendation and/or decision regarding the proposed activity.

1. PLANNING

- ☐ Zoning/ Setbacks R-10
- ☐ Is the Site in a Water Resource Overlay District? (Yes or No) _____
- ☐ Is the Site in a Historic Overlay District? (Yes or No) NO
- ☐ List of Minimum Required Planning Processes:

1. Subdivision

- ☐ OCMC 17.50 – Administrative Processes
- ☐ OCMC 16.08 – Subdivision – Process and Standards
- ☐ OCMC 16.12 – Minimum Improvements and Design Standards for Land Divisions

2. Zone Change - OCMC 17.68

Other: _____

2. ENGINEERING

- GRADING & EROSION CONTROL
- A. Grading: PER CITY STANDARDS
- B. Drainage: improve existing storm detention / upgrade - DETENTION & WATER QUALITY
- C. Sanitary Sewer: EXTEND EXISTING GRAVITY SEWER THROUGH SITE
- D. Water: COUP WATER IN P.D. WALKWAY - no deadend
- E. Right-of-Way Dedication/Easements: 50 R/W ST. EXTENSION, 53 NEW MID-E ST.
- F. Street Improvements (including continuation of existing streets within 10' DED. ALONG SOUTHEAST subdivisions): SW, ST. TREES, ST LIGHTS, PAVEMENT + BASE, PLANTER STRIP, TSP.
- G. Special Analysis (traffic study, geotechnical study, EIS): 1/2 ST. IMP ON SITE
- H. Development Impact Statement required with Subdivision applications.
- I. TSP compliance (Connectivity, Street Widths, etc.): 32' LOCAL ST. PAV. WIDTH
- Other: _____

3. BUILDING

- A. Proposed Construction Type: _____
- B. Number of Stories: _____
- C. Square Footage: _____
- D. Number of Buildings: _____
- E. Type of Occupancy: _____
- F. Fire Sprinklers: _____
- G. Valuation (estimate): \$ _____
- H. Fire/Life Safety Required: Yes _____ No _____

4. FIRE

- A. Fire Flow Requirements (gallons per minute): _____
- B. Location/Number of Hydrants: _____
- C. Access Requirements: _____
- D. Other: _____

OTHER COMMENTS:

NOTICE TO APPLICANT: A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required.

RECEIVED 00SD

CITY OF OREGON CITY - PLANNING DIVISION

PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

NOV 20 2002

Phone: (503) 657-0891 Fax: (503) 722-3880

RECEIVED

BUSINESS DEPT.

TRANSMITTAL

November 19, 2002

NOV 20 2002

IN-HOUSE DISTRIBUTION

- ☒ BUILDING OFFICIAL
- ☒ ENGINEERING MANAGER
- ☒ FIRE CHIEF
- ☒ PUBLIC WORKS- OPERATIONS
- ☒ CITY ENGINEER/PUBLIC WORKS DIRECTOR
- ☐ TECHNICAL SERVICES (GIS)
- ☐ PARKS MANAGER
- ☐ ADDRESSING

TRAFFIC ENGINEER

- ☒ Mike Baker @ DEA

MAIL-OUT DISTRIBUTION OREGON CITY SCHOOLS

- ☒ CICC
- ☒ NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR
- ☒ N.A. LAND USE CHAIR *Westling Farms/Southend*
- ☐ CLACKAMAS COUNTY - Joe Merek
- ☐ CLACKAMAS COUNTY - Bill Spears
- ☐ ODOT - Sonya Kazen
- ☐ ODOT - Gary Hunt
- ☒ SCHOOL DIST 62
- ☐ TRI-MET
- ☐ METRO - Brenda Bernards
- ☐ OREGON CITY POSTMASTER
- ☒ DLCD

RETURN COMMENTS TO:

COMMENTS DUE BY: December 12, 2002

Tony Konkol
Planning Division

HEARING DATE: January 27, 2003
HEARING BODY: Staff Review: ___ PC: X CC: ___

IN REFERENCE TO

FILE # & TYPE:

TP 02-03: Staff Review
VR 02-10: PC Hearing 1/27/03
ZC 02-03: PC Hearing 1/27/03
Tony Konkol, Associate Planner
Joseph Spaziani/Curt Pellatz
Zone change from R-10 to R-8, Variance to increase cul-de-sac length to 400 feet, and a 31-lot subdivision.
Map # 3S-2E-12A, Tax Lot 2300.

PLANNER:
APPLICANT:
REQUEST:

LOCATION:

The application material was referred to you during the Completeness Review for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and will insure prompt consideration of your recommendations. Please check the appropriate spaces below.

X

The proposal does not
conflict with our interests.

_____ The proposal conflicts with our interests for
the reasons stated below.

The proposal would not conflict our
interests if the changes noted below
are included.

_____ The following items are missing and are
needed for completeness and review:

Signed
Title

Ken Baker

Business Manager

PLEASE RETURN YOUR COPY OF THE APPLICATION AND MATERIAL

Exhibit

9

PC Mailing List for PC Meeting Date: 1/27/03

DATE: 1/17/03

#	Recipients	Sent
10	Copies for Front Table	
1	Maggie Dan	
1	Sean	
1	Christina	
1	Tony	
1	Brian Nakamura	
1	Brian Cosgrove	
1	Front Counter	✓
1	Bob Cullison	
1	Jay Toll	
1	Dean Norlan	
1	Nancy K.	
1	Fire Department	✓
1	Public Works	✓
1	Applicant	
1	Applicant	
1	Daily Journal of Commerce-Kurt	
1	Sarah H. - Oregonian	
1	Transcription	
5	City Commission	
	Total	

✓ Joe Spaziani VR 02-10; ZC 02-03
 ✓ Tom Sisul " " " "

✓ MR. Howell ZC 02-03; VR02-10
 ✓ MR./MRS. Fleming ZC 02-03
 ✓ MR./MRS. O'Brien ZC 02-03

✓ SHA SPADY: AGENDA / LETTER

* Plus 30 names on previous page

✓ ORZEN

Eva Villa
 815 Kumulani Dr.
 Kihei, Maui, Hawaii
 96753

CICC Chairman

Tim Powell, Co-Chairman
819 6th Street
Oregon City, OR 97045

Barclay Hills Nbrhd Assoc.

Larry Jacobson, Chairman
17893 Peter Skene Way
Oregon City, OR 97045

Barclay Hills Nbrhd Assoc.

Elizabeth Klein, Land Use
13569 Jason Lee Drive
Oregon City, OR 97045

Canemah Nbrhd Assoc.

Howard Post, Chairman
302 Blanchard Street
Oregon City, OR 97045

Caufield Nbrhd Assoc.

Cathi VanDamm
15092 S. Persimmon Way
Oregon City, OR 97045

Caufield Nbrhd Assoc.

Robert Pouriea, Co-Chairman
14409 S. Cambria Terrace
Oregon City, OR 97045

Caufield Nbrhd Assoc.

Mike Mermelstein
20114 Kimberly Rose Drive
Oregon City, OR 97045

Gaffney Lane Nbrhd Assoc.

Janet Brand
19436 Stillmeadow Drive
Oregon City, OR 97045

Gaffney Lane Nbrhd Assoc.

Shelly Alway, Land Use
13411 Squire Drive
Oregon City, OR 97045

Hazel Grove / Westling Farm N/A

Bill Vickers, Chairman
19384 Hazel Grove Drive
Oregon City, OR 97045

Hazel Grove / Westling Farm N/A

Kathy Hogan
19721 S. Central Point Road
Oregon City, Oregon 97045

Hillendale Nbrhd. Assoc.

Debbie Watkins, Chairman
13290 Clairmont Way
Oregon City, OR 97045

Hillendale Nbrhd. Assoc.

Julie Hollister, Land Use
13304 Clairmont Way
Oregon City, OR 97045

McLoughlin Nbrhd Assoc.

Tim Powell, Co-Chairman
819 6th Street
Oregon City, OR 97045

McLoughlin Nbrhd Assoc.

Rick Winterhalter, Co-Chairman
1215 8th Street
Oregon City, OR 97045

McLoughlin Nbrhd Assoc.

Denyse McGriff, Land Use
815 Washington Street
Oregon City, OR 97045

Mt. Pleasant Nbrhd Assoc.

Jessica Eckart
307 Caufield St.
Oregon City, OR 97045

Park Place Nbrhd. Assoc.

Ralph and Lois Kiefer
15119 Oyer Drive
Oregon City, OR 97045

Rivercrest Nbrhd. Assoc.

Diane McKnight, Chairman
161 Barclay Avenue
Oregon City, OR 97045

Rivercrest Nbrhd. Assoc.

Patti Brown, Land Use
P.O. Box 1222
Oregon City, OR 97045

South End Nbrhd. Assoc.

Karen Montoya
137 Deerbrook Drive
Oregon City, OR 97045

Preston Gates & Ellis

Bill Kabeiseman
222 SW Columbia St Suite 1400
Portland, Oregon 97201-1422

Planning Commission

Linda Carter
1145 Molalla Avenue
Oregon City, Or 97045

Planning Commission

Lynda Orzen
14943 Quinal Ct
Oregon City, Or 97045

Planning Commission

Dan Lajoie
143 John Adams Street
Oregon City, OR 97045

Planning Commission

Duff Main
15868 South Lora Ct
Oregon City, Or 97045

Planning Commission

Renate Mengelberg
2263 South Gilman
Oregon City, Or 97045

Tr ipations

Pa. anson
10214 SW 36th Court
Portland, Oregon 97219

DJC

Kurt Shirley
PO Box 10127
Portland, OR 97296

Oregonian Metro South-News

365 Warner-Milne Road, Ste. 110
Oregon City, Oregon 97045
Attn: Sarah Hunsberger

Don Vedder Real Estate
126 Cherry Avenue
Oregon City, Oregon 97045
Attn: Karen Slomp

Rene Hinneberg
AV Tech
2580 Cambridge Street
West Linn, OR 97068

Clackamas Community College
Community Relations Department
19600 S. Molalla Avenue
Oregon City, OR 97045

OREGON CITY PLANNING COMMISSION BYLAWS

Article 1. Name

The name of this commission is the Planning Commission (PC).

Article II. Purpose, Authority and Duties

- A. The purpose of the Commission is to serve as an advisory body to, and a resource for, the City Commission in land use matters.
- B. ORS 227 and the Oregon City Municipal Code Chapter 2.24 authorize the Commission.
- C. The Commission's duties include articulating the community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Oregon City Comprehensive Plan and ancillary documents.

Article III. Membership

- A. The Mayor with the consent of the City Commission shall appoint each Commission member, and those members shall serve at the pleasure of the Commission. Terms are for a period of four years. Planning Commission members shall serve no more than two, consecutive full terms. The City Commission may waive this limitation if it is in the public interest to do so.
- B. The Commission consists of seven members. No more than two members may be non-residents, and no more than two members shall be engaged in the same kind of occupation, business, trade, or profession. No member may be a City of Oregon City officer, agent, or employee.
- C. Vacancies are filled in the same manner as the original appointments.
- D. Upon failure of any member to attend three consecutive meetings, the Planning Commission may recommend termination of that appointment to the City Commission, and the City Commission may remove the incumbent from the Planning Commission and declare the position vacant to be filled in the manner of a regular appointment.

- E. All members shall serve without compensation.

Article IV. Officers and Staffing

- A. **Officers.** The officers consist of a chairperson and a vice-chairperson who shall be selected by the membership and who shall serve at the pleasure of the membership for one year. Nominations and election of new officers shall be taken from the floor at the Commission's first meeting of the year. Officers may be re-elected. In the event that an officer is unable to complete the specified term, a special election shall be held for the completion of the term.
- B. **Chairperson.** The chairperson shall have general supervisory and directional powers over the Commission. The chairperson shall preside at all Commission meetings and review Commission agendas with the staff liaison. The chairperson shall also be an ex-officio member of all subcommittees and shall be the designated spokesperson for the Commission unless this responsibility is delegated in writing.
- C. **Vice-Chairperson.** The vice-chairperson, in absence of the chairperson, shall have general supervisory and directional powers over the Commission. The vice-chairperson shall preside at all Commission meetings and review Commission agendas with the staff liaison, and generally conduct all business delegated to the chairperson, in his or her absence.
- D. **Staff.** The City of Oregon City will provide staff support to the Commission for meeting notification, word processing, minutes preparation, copying and information gathering to the extent the City budget permits.

Article V. Organizational Procedures

- A. The Commission shall hold meetings as necessary at a time and place designated by staff consistent with Oregon Public Meetings Law.
- B. Fifty-one percent of the voting membership of the Commission shall constitute a quorum. The concurrence of a majority of the Commission members present shall be required to decide any matter. If a quorum is not attained fifteen minutes following the scheduled time of call to order, the meeting shall be cancelled.
- C. All members who are present at a Commission meeting, including the chairperson and vice-chairperson, are allotted one vote each on all motions.
- D. These Bylaws may be repealed or amended, or new bylaws may be adopted by a majority vote of the Planning Commission on its own initiative.

- E. The parliamentary authority for this Commission is Robert's Rules of Order Revised except where superseded by these Bylaws or local, state, or federal law.
- F. Commissioners are required to file annual statements of economic interest as required by ORS 244.050 with the Oregon Government Standards and Practices Commission.
- G. Individuals being considered for appointment to the Planning commission must be willing to dedicate to, at a minimum, two meetings per month. A scheduled Commission meeting may be set aside upon agreement of a majority of the Commissioners and upon compliance with applicable land use laws and procedures.

Article VI. Duties of Officers

- A. The chairperson or vice-chairperson, in addition to the duties in Article IV, shall preserve order and decorum at Commission meetings.
 - 1. The chairperson may assess the audience at the beginning of the meeting, and, with the consent of the Commission, announce reasonable time limits.
 - 2. The chairperson shall summarize the issues to be addressed and the criteria to be applied prior to the public hearing testimony.
- B. The chairperson shall ask for response and opinion from the members of the Commission.
- C. The chairperson may mentor the vice-chairperson.
- D. The chairperson may appoint Commission members to specific projects or committees.
- E. The chairperson or vice-chairperson shall confer with the Community Development Director on a regular basis outside scheduled meetings concerning the direction each expects of the Commission.
- F. In conjunction with the Planning Manager, the chairperson shall orient new members.

Article VII. Duties of the Commission

- A. Planning Commission members are encouraged to address all those who come before the Commission by the last name only, and common title (Mr., Mrs., Miss, Ms., etc.), not by first name.

- B. If a member is unable to attend a meeting, it is that member's responsibility to inform the Planning Divisions staff and/or the Commission chairperson of that fact prior to the meeting to be missed.
- C. Prior to Planning Commission meetings, members are encouraged to read all information packets and visit sites that are subjects of land use action.

Article VIII. Goals and Objectives

- A. The Planning Commission shall review the City Commission goals annually for establishment of Planning Commission goals that enhance and augment those of the City Commission
- B. The Planning commission shall establish goals, at a minimum, annually.

Adopted this 24th day of January, 2000

Gary Hewitt, Chairperson
Oregon City Planning Commission

**OREGON CITY PLANNING COMMISSION
TALLY OF VOTES**

PLANNING COMMISSION MEETING DATE: 1/27/03

COMMISSIONERS ASENT

Mengelberg

STAFF PRESENT

Konko

ITEM: _____

MEMBERS:	AYE	NAY	ABSTAIN	COMMENTS
Lynda Orzen	<input checked="" type="checkbox"/>	_____	_____	_____
Duff Main	<input checked="" type="checkbox"/>	_____	_____	_____
Renate Mengelberg	<input checked="" type="checkbox"/>	_____	_____	_____
Bob Bailey <u>Lejai</u>	<input checked="" type="checkbox"/>	_____	_____	_____
Linda Carter	<input checked="" type="checkbox"/>	_____	_____	_____

MOTION: Motion carries

ITEM: VR 02-10

MEMBERS:	AYE	NAY	ABSTAIN	COMMENTS
Lynda Orzen	<input checked="" type="checkbox"/>	_____	_____	_____
Duff Main	<input checked="" type="checkbox"/>	_____	_____	_____
Renate Mengelberg	<input checked="" type="checkbox"/>	_____	_____	_____
Bob Bailey <u>Lejai</u>	<input checked="" type="checkbox"/>	_____	_____	_____
Linda Carter	<input checked="" type="checkbox"/>	_____	_____	_____

MOTION: Carries

ITEM: BC 02-03

MEMBERS:	AYE	NAY	ABSTAIN	COMMENTS
Lynda Orzen	_____	<input checked="" type="checkbox"/>	_____	_____
Duff Main	<input checked="" type="checkbox"/>	_____	_____	_____
Renate Mengelberg	_____	_____	_____	_____
Bob Bailey <u>Lejai</u>	<input checked="" type="checkbox"/>	_____	_____	_____
Linda Carter	<input checked="" type="checkbox"/>	_____	_____	_____

MOTION: Carries 3-1

CITY OF OREGON CITY

PLANNING COMMISSION LIST OF EXHIBITS

HEARING DATE:

1/27/03

CASE FILE #:

ZC02-03

EXHIBIT ID LABEL (alphabetic)	TYPE OF EXHIBIT	SUBMITTED BY:
A	Letter dated 1/16/03	Scott Sether
B	MR. Phillips: 19224 Pine Place Re: TP 02-03	MR. Phillips
C		
D		
E		
F		
G		
H		
I		
J		
K		
L		

EXHIBIT ID LABEL (alphabetic)	TYPE OF EXHIBIT	SUBMITTED BY:
M		
N		
O		
P		
Q		
R		
S		
T		
U		
V		
W		
X		
Y		
Z		
AA		
BB		

January 16, 2003

Tony Konkol
City of Oregon City
320 Warner Milne Rd
Oregon City OR 97045


Dear Mr. Konkol:

I am writing this letter to voice my concerns around the proposed South End Estates development. First off, I think there needs to be an additional entrance off of South End Road to help with the increase in traffic that will occur. As it is now Filbert and Partlow have a large amount of traffic. Adding additional housing with no other entrance will make the traffic problem much worse than it is now.

I also feel that the development needs to stay zoned R-10. Traffic will increase, but even more so if this is rezoned R-8. I wonder if an addition retention pond will be part of this development? If not, there is a potential for flooding and problems with drainage. With an increase in housing there is going to be even more children attending John McLoughlin Elementary. Keeping this development zoned R-10 will keep the enrollment at the elementary school down.

Thank you for taking the time to listen to my concerns about the new development.

Sincerely,



Scott Sether
19230 Pine Place
Oregon City, OR 97045
(503) 650-7867

OC PLANNING COMMISSION
HEARING DATE: 1/27/03
CASE FILE: 2C 02-03
EXHIBIT: A

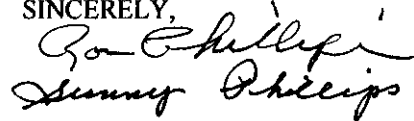
TO: OREGON CITY PLANNING COMMISSION
RE: FILE NUMBER TP 02-03

AS NEW HOME OWNERS ON S. PINE PLACE, WE ARE VERY CONCERNED ABOUT THE LIMITED ACCESS TO SOUTH END ESTATES. IN YOUR PLAN, PINE PLACE WILL BE ONE OF TWO MAIN ACCESS ROADS. WE MUST PROTEST THE ADDED TRAFFIC AND NOISE ON OUR STREET.

PLEASE REEVALUATE THE SITE LAYOUT PLAN, AND CREATE A MAIN ACCESS FROM SOUTH END ROAD.

THANK YOU.

SINCERELY,

Handwritten signature of Ron & Sunny Phillips in cursive script.

RON & SUNNY PHILLIPS
19224 S. PINE PLACE
OREGON CITY, OR 97045

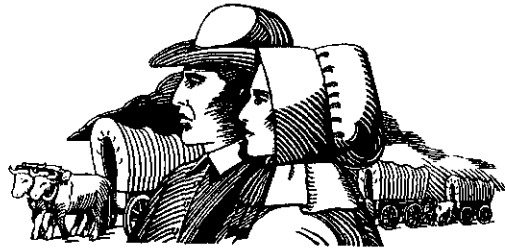
OC PLANNING COMMISSION
HEARING DATE: 1/27/03
CASE FILE: EC 02-03
EXHIBIT: B

CITY OF OREGON CITY

PLANNING COMMISSION

320 WARNER MILNE ROAD
TEL (503) 657-0891

OREGON CITY, OREGON 97045
FAX (503) 657-7892



AGENDA

City Commission Chambers - City Hall

January 27, 2003 at 7:00 P.M.

*****Please note: The public hearing for the following planning files: SP 02-09, ZC 02-01, ZC 02-02, PZ 02-01, PZ 02-02, WR 02-12 for the proposed Wal-Mart retail development on Molalla Avenue has been re-noticed for the public hearing date of February 24, 2003. No public testimony will be taken at the January 27, 2003 Planning Commission Meeting.*****

PLANNING COMMISSION MEETING

- 7:00 p.m. 1. **CALL TO ORDER**
- 7:05 p.m. 2. **PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**
Outdoor Lighting Ordinance: Sha Spady letter dated December 27, 2002.
- 7:10 p.m. 3. **APPROVAL OF MINUTES:** *December 9, 2002*
- 7:15 p.m. 4. **HEARINGS:**
VR 02-10 (*Request for a Continuance to February 10, 2003*); Great American Development: Joe Spaziani; Request for a continuance of the Planning Commission Hearing for a Variance to increase the maximum cul-de-sac length by 50 feet for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.
- 7:20 p.m. **ZC 02-03** (*Quasi-Judicial Hearing*); Great American Development: Joe Spaziani; Request for a Zone Change from R-10 Single-Family Residential to R-8 Single-Family Residential for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.
- 8:00 p.m. 5. **NEW BUSINESS:**
- 8:05 p.m. 6. **ADJOURN**

NOTE: HEARING TIMES AS NOTED ABOVE ARE TENTATIVE. FOR SPECIAL ASSISTANCE DUE TO DISABILITY, PLEASE CALL CITY HALL, 657-0891, 48 HOURS PRIOR TO MEETING DATE.

**CITY OF OREGON CITY
PLANNING COMMISSION MINUTES
January 27, 2003**

COMMISSIONERS PRESENT

Chairperson Carter
Commissioner Lajoie
Commissioner Main
Commissioner Orzen

STAFF PRESENT

Dan Drentlaw, Planning Director
William Kabeiseman, City Attorney
Tony Konkol, Associate Planner
Pat Johnson, Recording Secretary

COMMISSIONERS ABSENT

Commissioner Mengelberg

1. CALL TO ORDER

Chairperson Carter called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

Kathy Hogan, 19721 S. Central Point Road, said she had read an article in a local paper about some signs which were put out near a school to remind drivers to slow down, and she asked if the Planning Commission could perhaps review and/or revise the City regulations to allow such because, whether these signs are paid for by the schools (whether St. Johns or the public schools), she thinks they are a good safety reminder.

3. APPROVAL OF MINUTES: December 9, 2002, December 11, 2002, and December 16, 2002.

Chair Carter said corrections had already been taken for the minutes of December 11th and December 16th, but had not yet taken any corrections for the minutes of December 9th. With no corrections to those minutes (Dec. 9th) but encompassing the previously submitted corrections, **Main** moved to accept all of them as submitted and corrected. **Orzen** seconded the motion, and it passed unanimously.

4. HEARINGS:

Chair Carter gave the parameters and procedures for the hearings on the agenda this evening, both of which are quasi-judicial in nature.

VR 02-10 (Request for a Continuance to February 10, 2003); Great American Development: Joe Spaziani; Request for a continuance of the Planning Commission Hearing for a Variance to increase the maximum cul-de-sac length by 50 feet for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.

Kabeiseman asked if there were any conflicts of interest, bias, or ex parte contacts to be acknowledged by the Commission. There were none, nor were there any challenges by members of the audience against the Planning Commission (PC) or any individuals for participating in this hearing.

Konkol said the applicant was requesting a continuance to the next PC hearing date for this variance while reviewing alternative designs for the subdivision. **Orzen** moved to uphold the request for a continuance to Feb. 10, 2003. **Main** seconded the motion, and it passed unanimously.

ZC 02-03 (Quasi-Judicial Hearing); Great American Development; Joe Spaziani; Request for a Zone Change from R-10 Single-Family residential to R-8 Single-Family Residential for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.

Konkol, who would give the staff report, introduced a letter into the record as Exhibit A from Scott Sether, 19230 Pine Place, dated Jan. 16, 2003, in which he states he thinks this development should remain R-10 because traffic will increase if it is zoned R-8; there is a potential for flooding and problems related to the increased drainage from the development; and with increased housing there will be more children attending John McLoughlin Elementary. (**Konkol** had distributed copies of this letter to the Commissioners.)

Konkol then made some corrections to page 1 of the application. He noted that this is actually a Type IV application, not a Type III. Under "Process," he also clarified that Type IV permits are reviewed by the PC. If the decision is for denial, that is the final decision, which can be appealed to the City Commission. A recommendation of approval can be forwarded to the City Commission should the Planning Commission so determine. He noted that correct references are made within the body of the staff report to a Type IV permit and the correct process and procedures.

As background, **Konkol** said the applicant is requesting a zone change from R-10 Single-Family to R-8 Single-Family, for an approximately 8.09-acre vacant parcel located southwest of Partlow Road and southeast of South End Road. The parcel has a Comprehensive Plan designation of LR Low-Density Residential, which includes the R-8 Single-Family zoning designation.

Konkol said the applicant currently has a proposal for a 31-lot subdivision submitted with the City, and a variance for the cul-de-sac length (the latter of which was just continued to Feb. 10, 2003). The proposal has two temporary stubs terminating into the parcel (Pine Place and Mahogany Drive) both from the north and the south into the site.

The surrounding zoning and land uses are Single-Family Residential, including both R-10 and R-8. There is an R-8 Single-Family subdivision (identified as Hazel Grove 5); an R-8 Single-Family subdivision identified as Hazel Meadows, an R-10 Single-Family subdivision identified as Hazel Grove 3; and various R-10 Single-Family parcels. (A full copy of the application, the staff report, and related documents are available in the public record through the Planning Department.)

The site has frontage to the west on South End Road, which is classified as a minor arterial in the Oregon City Transportation System Plan (TSP); Pine Place and Mahogany Drive, both of which are local streets that are stubbed into the property to the north and to the south; Filbert Drive (directly to the south), which is classified as a neighborhood collector; and Partlow Road (directly to the north), which is classified as a collector.

Konkol said proper noticing was done to the immediate property owners and to the community, and transmittals were received and incorporated into this staff report as they pertain to the zone change.

The South End Neighborhood Association submitted comments opposing the requested zone change to R-8 based on the following:

- Existing traffic problems on Filbert Lane.
- There is no direct access from the subdivision to South End Road.
- South End Road and Partlow Road need improvements.
- The current retention pond may not be able to handle extra runoff.
- High density is not compatible with surrounding uses.
- The roadways must be 32 feet wide.

- The current traffic count on Filbert will increase from 600 to 900 daily trips.

Konkol also noted that comments were received from:

- Mr. Howell, 19240 Pine Place, requesting that the City grant a variance to allow the street to connect to South End Road and saying that if the variance is not granted, the zone change request should be denied to reduce the impacts on Filbert Drive and Pease Road.
- Mr. and Mrs. Fleming, 11795 Mahogany Drive, saying they are opposed to the zone change because there is inadequate police staff to patrol the area; the elementary school is overcrowded; and the increased traffic would be a burden to the developing traffic problems and road maintenance issues.
- Mr. and Mrs. O'Brien, 19364 South Hazel Grove Drive, saying the developer should have known the existing zoning and should not be able to change the zoning to get more lots after the fact.

Staff findings state that the applicant, Great American Development, submitted an application that was deemed complete on December 18, 2002.

Regarding criteria, after a preliminary review, it appears that there are adequate services (water, sewer, and storm drainage) to provide services to the parcel at the R-8 development level.

There is an existing storm pond south of the property, and the adequacy of the pond will be reviewed at the time of the subdivision application. That pond has the potential to be enlarged. If enlarging the pond does not alleviate the drainage coming from the site, there are also alternate design options that could accommodate storm water, but the applicant would be responsible for showing that during the application for the subdivision.

The applicant states that a traffic analysis report was prepared by Lancaster Engineering for this subdivision, and no problems were found with any intersections or traffic movements on the streets around the development through 2017. Staff would concur with that finding, that this development would not impact the surrounding intersections and will not warrant improvements identified in the TSP based on the level of development associated with this proposal.

Staff said the zone change from R-10 to R-8 would equate to approximately 6 homes, so a 20-year analysis was not required by staff for those impacts since they seem to be insignificant.

Regarding Statewide Planning Goals, **Konkol** said the Oregon City Comprehensive Plan was acknowledged by the Land Conservation and Development Commission on April 16, 1982, and it was found that this proposal meets the Comp Plan goals associated with the requested zone change.

The applicant states the area is designated for Low-Density Residential use. The R-8 zone permits 5.5 dwelling units per acre, or 36 dwellings on the 8.09-acre subject site. The R-10 allows 4.4 dwelling units per acre, or 29 units on the site (assuming 20% of the property is used for public right-of-way). As stated, there are adequate services—transportation, water, sanitary, and storm—to accommodate the increased housing that would be associated in moving from R-10 to R-8. Further, as stated earlier, the R-8 is a zoning category identified under Low Density Residential as the Comp Plan designation for this site.

Under Policy 3 of "Housing" within the Comp Plan, it says, "The City shall encourage the private sector in maintaining an adequate supply of single- and multi-family housing units. This shall be accomplished by relying primarily on the home-building industry and the Private Sector Market Solutions, supported by the

elimination of unnecessary government regulations.” **Konkol** said the R-8 zone allows for smaller lots, which can be expected to provide for more affordable housing than the R-10 zone, and the requested zone change for R-8 would be similar to the R-8 zoned properties bordering a majority of this site, allowing for a more consistent development pattern with the adjacent properties. Currently 15 of the 24 properties and 1,863 linear feet of the 2,897 linear feet of properties abutting the subject property are zoned R-8 Single-Family. A majority of those properties in those R-8 subdivisions are at or near the 8,000 square foot minimum lot size allowed in the R-8 zoning designation.

The property is on a vacant parcel, and there are no natural resources or natural hazards on the property. It is not in the water resource overlay district. There is one large oak tree in the back corner, which the applicant is proposing to save. There would be no foreseeable impacts on habitat or fish since there is no habitat identified on this property.

The property is located on South End Road and has been identified in the TSP for bicycle and pedestrian connectivity. Improvements along South End Road would be required as part of the development, including a half-street improvement, which usually includes upgrading the road if it is needed, inclusion of a parking strip, curb and gutter, street trees, and a sidewalk. Local streets in the subdivision would also be to TSP standards, which include 32 feet of pavement.

Chair Carter asked, even with the possible site plan being proposed, if the developer would still be responsible for road improvements on South End Road, whether a road went out to South End or not, and if that would occur at the time of the site development. **Konkol** said that was correct.

Konkol said South End Road is on a bus line that currently has a bus stop right at the site that would allow potential users to utilize the other forms of transportation, including the bus. Also, the near proximity to John McLoughlin School District would allow students to walk to school and could thus reduce the number of vehicle trips in the City.

Konkol concluded by saying it is important to notice that this is an infill-type of development, meaning there is development on all sides of the subject site with four local street stubs into the property, affecting the street layout of the property and where lots can be located. Also, as stated earlier, adjacent properties are zoned R-8 to the north and the south. Therefore, staff would recommend that the PC recommend approval to the City Commission at a public hearing on Feb. 5, 2003.

Orzen noted that on page 7 it says there would be 36 homes with an R-8 and 29 homes with an R-10 listing. Yet on Exhibit 2, it shows only 31 home sites. **Konkol** said 36 represents the allowed density in the R-8 zoning, assuming 20% of the property is taken out as is the standard for roadway and public dedication.

Orzen asked if the 29 home sites would be consistent with R-10 zoning for that parcel size. **Konkol** said 29 dwelling units would be at R-10 with 20% taken out. However, on this site, it would be a difference of 6 homes so it would equate to 25. He said because of the four stubs coming into the property and the amount of local streets they would be building in this subdivision, it is probably a little more than the 20%.

Main asked for some clarification about the reference to the year 2017 on the traffic study. He said this subdivision would have some effect on the Partlow Road/South End intersection and the Warner Parrott/South End intersection, and he asked what triggers us to assess that developer for part of those improvements down the road. **Konkol** said he thought one of the recommendations from David Evans & Associates (who did the staff review of the traffic analysis) was that the developers should be responsible for their proportional share of

impacts to the Warner Parrot/South End Road intersection. He said that could be a Condition of Approval (COA) that could be applied at the subdivision review, which is yet to come.

Main noted that the David Evans report on the traffic study talks about queuing (page 3, item 7) and says the applicant should also submit the technical output from Synchro, and he asked if that was done. **Konkol** said that, too, would be a COA that would be added with the subdivision review because it is addressing the layout of the subdivision, not the actual zoning designation.

Main asked if that would be the same for item 9, which talks about clarification of the right-of-way dedication. **Konkol** said yes.

Main asked if the school had responded to the comments about the overcrowding at John McLoughlin School. **Konkol** said they did respond that this proposal does not conflict with their interests. (See Exhibit 9.)

Main asked what happens if they were to come back later and say it does cause a conflict. **Kabeiseman** said we must rely on what the service providers tell us at the time of the application, and they are currently saying it is not a conflict.

(**Chair Carter** stopped to introduce and welcome the new Commissioner, **Daniel Lajoie**, and apologized for overlooking this at the beginning of the meeting. She also said that Commissioner **Mengelberg** is still serving on the Commission but was not able to attend this evening.)

Tom Sisul of Sisul Engineering, Inc., 375 Portland Avenue, Gladstone, Oregon, spoke on behalf of the applicant, Great American Development. He explained that this parcel was brought into the City as part of the island annexation of parcels that were voted in by the citizens last year and that, as part of any new annexation, those parcels were given the R-10 zoning designation. He said a map prior to that effective date of annexation would show that between South End Road and the Hazel Grove subdivisions to the east (Phases 1-4), there were two subdivisions zoned R-8 (Hazel Grove V and Hazel Meadows), and the only large parcel zoned R-10 was the school property. All the others now shown as R-10 are the other parcels that were brought in as part of the island annexation and given the R-10 designation at that time.

Sisul said this parcel would be connected physically (by roads and by utilities) to developments to the north and to the south that were both re-zoned to R-8 in 1996 and developed as R-8 subdivisions. He said there would be no direct access from this site to any development zoned R-10 or any other zoning, for that matter.

Sisul said the sewer and storm drainage utilities for serving Hazel Grove 5 (to the north) actually cross what will be the future right-of-way of Mahogany Drive, as granted through an easement by the previous property owner. (He thinks the water is stubbed out to the side.) He said the street stubs in the proposed development connect the utility connections for water, and another requirement of this development would be to improve and fix the detention pond facility that was apparently constructed as part of the Hazel Mill subdivision to the south to make that a working, functioning detention facility.

Chair Carter asked **Sisul** to identify where the detention pond is actually located, which he did.

Sisul noted that many of the citizen comments were about access to South End Road. He said the applicant has asked for a continuance for further consideration of such because in the original discussions with staff, staff made it clear that access would not be permitted onto South End Road. However, he understands that this may be changing. Therefore, the applicant would like to work with staff regarding that.

Sisul explained that the difference between an R-8 and an R-10 zoning is approximately five. He said the impact to the street system, to utilities, and to the schools for these additional five homes is minor.

Regarding connections of the neighborhoods, **Sisul** said this neighborhood will be connected to the subdivisions to north and the south, both of which are currently zoned R-8, and this will be their neighborhood. He said the zoning map (Exhibit 1 in the staff report) shows that there are only two connections from Hazel Grove Drive to South End Road, those being Filbert Drive and Salmonberry Drive. Those lots that access on Hazel Grove Drive and lie to the west of it basically are creating a blockage because there is only one connection through, which leaves two isolated neighborhood areas with one inter-connection. Therefore, he would suggest that this subject site has more in common with the R-8 zonings on either side of it than with the R-10 zonings to the east. Therefore, the applicant would request that this parcel be recommended to the City Commission for approval for R-8 zoning.

There was no public testimony in favor of this application.

In opposition, **Mike Kolsut**, 19225 S. Mulberry Court, said he wanted to express some areas of concern for the residents of Hazel Meadows regarding the current proposed plan. They included the following:

- Regarding traffic, he said the residents have asked for speed bumps to be placed on Filbert Drive as a result of a recent traffic study, which showed that there are more than 700 daily trips on Filbert Drive, the majority of which are speeding.
- Also related to traffic, those residents have heard that there are plans for other developments in that area and the main access from Central Point onto South End Road is down Skellinger Way to Hazel Grove Drive and down Filbert Drive. With an additional 30 homes, this could result in as many as 1,000 trips on Filbert Drive every day, which is a big concern for a residential street.
- They also have safety concerns particularly from a fire standpoint since there is no access to South End Road. He said Filbert Drive, Pine Place, and Mahogany Drive are very narrow streets, and he is not sure a fire truck could go down those streets if cars and motor homes are parked along them.
- He said there is also concern about the lack of any crosswalk in the area, especially for students walking to school, and he said they have asked for a crosswalk on Filbert Drive that has access into the park area at McLoughlin. He said the school is not opposed to it, but they are concerned because there is no direct line of sight from the school to that area, so they couldn't really watch the students if there were to be a crosswalk there. Currently, he said, the students are at risk as they walk to school.
- Another safety concern is that the holding pond is currently unfenced. He said he personally observed earlier this day that there is about 2 ½ feet of standing water. Seeing this, he isn't sure if it can provide the holding power needed for an additional 30 homes.

Chair Carter noted that it is rather difficult to read the map (Exhibit 1) because there are no directional indicators (N/S/E/W) or street names, but she noted one of the difficult things about this particular parcel is that it is not possible for the residents of the Hazel Grove development to the east to get to South End Road, even if the subject site accessed onto South End Road, because of the row of houses that block access from Westwood Drive in the Hazel Grove development to the subject site. She said this needs to be considered because if there weren't houses along that line and they made a road that went through, that would alleviate a lot of the traffic problem, but the houses are already there so it won't alleviate any of the traffic coming out of "all of this neighborhood" even if they do put a road to South End through the proposed development. **Kolsut** said he disagreed, saying he lives on Mulberry and he observes that people who live in that neighborhood typically drive up and down Filbert to go to work. If a new development is put between Filbert Drive and Partlow Drive,

the road of choice is Filbert. Therefore, he thinks it would have an impact on Filbert. However, if there were an access onto South End Road, he thinks the people in the new development would use it as their first choice.

Chair Carter asked for a clearer understanding of where the traffic currently comes from, and **Kolsut** said traffic studies have shown that the traffic comes from the area of Central Point, Skellinger Way, and from behind the Hazel Meadows/Hazel Grove area. He said when the residents talked with Nancy Kraushaar about the request for speed bumps, it was noted that Skellinger and Filbert are the only two roads that are main access from one side of the development to the other, the other being Salmonberry. However, the big difference is that Salmonberry has a built-in S-curve that slows down the traffic.

Orzen asked if there is a lot of flooding in the area (in homes). **Kolsut** said he knows of one home across from him that has had some problems with water in the sub-floor and he has heard that others have had problems. Also, he has also been told, but he cannot verify, that there is an underground aquifer in the area.

Jason Medford, 11650 Filbert Drive, said he has no problem with changing the zoning from R-10 to R-8. His only concern is that he would like the road to go out to South End from the new subdivision.

Kathy Hogan, 19721 S. Central Point Rd., showed on the wall map that many of the surrounding properties are R-10, and only two neighboring parcels are R-8. She agreed that having a direct road access to South End would alleviate much of the traffic on the side roads. She identified herself as co-chairperson and land use person of Hazel Grove/Westling Farm, saying she lives within their boundaries. She said they were concerned about having a direct connection to South End Road to alleviate some of the problems, and she concurred that Ms. Kraushaar had spoken to their neighborhood association to discuss the issue because of the volume and speed of the current traffic.

She said there was also talk in the past that the Parks and Recreation Department might cover the detention pond and convert it to a parking lot, but she would encourage that it not be disturbed.

She acknowledges that the developers will lose one or two houses if the zoning is kept at R-10, but she thinks that the surrounding neighbors should be given consideration for their desires, and what they enjoy is the rural atmosphere of the R-10 zone. If it is to be changed, she suggested that perhaps the developer should pay for the speed bumps.

Orzen asked if the neighbors would consider a roundabout to slow down traffic. **Hogan** said no because that was considered before but was not found to be not feasible because of the width of the road.

Tom O'Brien, 19364 S. Hazel Grove Drive, said the staff report indicates that there is a design in this process for citizen participation, and he asked, What is the purpose of citizen participation in land use planning proposals? In this case, he said a total of 37 individuals have responded that they did not consider it appropriate to change the zoning to R-8, and only Mr. Spaziani and Konkol appear to be on record in support of the change. He asked if a decision to change this zoning would reflect the intent of the citizen participation policy goals.

Also, **O'Brien** referred to Sisul's comment that the area, other than what is currently R-8, is not isolated from the property to the east. **O'Brien** said he lives in Hazel Grove III and he is anything but isolated from the activities that go around in Hazel Grove V and the other development along Filbert.

Hogan asked if it would be a PC or a staff decision when it comes back for the plot plan and subdivision, and **Chair Carter** said that would be a staff decision unless they are also requesting a variance or a CUP, in which those would come to the PC. **Konkol** added that all the comments that are applicable to the subdivision will be

included in the subdivision review and applicable criteria may be appealed to the City Commission by those who commented on the proposal.

Ron Phillips, 19224 S. Pine Place, said he and Jack Tilden had both sent letters about this, which were not addressed in staff's comments, and he asked if they had been received. **Konkol** excused himself to pull the file, and **Kabeiseman** said staff had received several letters that addressed subdivision criteria, not zone change criteria. He said staff would look to see if any of those should also be submitted as exhibits to the zone change request.

Jack Tilden, 19196 Pine Place, said he is concerned about safety issues. In particular, he said he has two children who play on the street along with many others who live in the neighborhood, and he is concerned about adding more traffic to the local streets. He said he, too, would encourage that a street go out to South End directly from the new subdivision.

Upon his return, **Konkol** noted that the letter from Ron Phillips was received, but it specifically referenced TP 02-03, which is the subdivision file. Therefore, it was placed with that file, not the zone change file. **Konkol** noted that the letter from Phillips would be added to the record as Exhibit B.

In the applicant's rebuttal, **Sisul** said there were many questions about traffic on Filbert, and he admitted that he had not been aware of staff's meetings with the neighborhood associations where they discussed the traffic concerns and possible installation of speed bumps and/or roundabouts. He said the applicant will be discussing the access issue and they can also discuss a speed bump alternative, noting that it might be one of the solutions.

Overall, **Sisul** reiterated that he believes this parcel should be zoned R-8, as are the neighborhoods to the north and the south.

Chair Carter closed the public hearing at 8:00 p.m.

Main said it sounds like the majority of the issues expressed this evening can be addressed during the review of the subdivision. He asked **Konkol** if the TSP addresses any future connector from Central Point through to South End Road. **Konkol** said the TSP shows a proposed neighborhood collector to the south (by Parrish Road), which is quite a ways south.

Main agreed that we should be concerned with the safety issues (including the crosswalk and the unfenced pond) and the traffic volume issues, and he said he thinks staff and the applicant can work together to address those issues. However, he said he drove through the area again today to make sure he was familiar with it and it seems to him that the parcel is surrounded by R-8 on both sides and it connects to R-8 on both sides. The R-10 is Longstanding Court, which is an old subdivision that was built some time ago, and the Hazel Grove area. He said he is comfortable with this request for a zone change to an R-8 status, but he anticipates there will be a different discussion regarding the street outlet.

Kabeiseman noted Main's comment that he had made a site visit, and said that could be construed as ex parte contact. **Main** said he did not leave his vehicle nor did he talk with anyone while he was there. **Kabeiseman** then asked if there was any challenge from the public regarding that, and there was none, nor were there any other site visits by the other commissioners.

Orzen said she agrees that there are traffic issues, and that a connector to South End Road might alleviate a little of the traffic but not a majority of the traffic coming through Filbert. She asked if Filbert is currently 32 feet wide, and **Konkol** said he thought it was.

Orzen said she was also concerned about the impact of more homes in that area, which would create more impervious surface in that area. She said we need to consider the testimony of flooding in that area and the overall impact to the area. She noted that if the detention pond is not working properly at this time it might need to be changed. Therefore, she was not ready to change the zoning on this parcel to an R-8.

Also, considering the difference between 36 houses for an R-8 and 29 houses for an R-10, even with the additional constrictions for roads, **Orzen** said she wasn't very concerned about an increase of two houses at the R-10 zone but an increase of six houses at R-8 is a concern.

Lajoie asked for clarification that the scope of this discussion was only for a zone change from an R-10 to an R-8, and was told yes.

He asked if the streets that are proposed on this particular document could change, and **Drentlaw** said yes, noting that this would be discussed at the time of design review.

Lajoie said he doesn't see anything that indicates that approval for a change to R-8 is a bad thing and he doesn't see any discrepancies in the findings and documentation.

Chair Carter noted first of all that the PC does listen to the comments of the public and she said most of their comments seem to be about the road access going directly to South End Road rather than relating to the zone change request. She said the people need to realize that if they want the developer to agree to an access out to South End Road, which wouldn't necessarily be his first choice, they must give him something in return, and in this case that is his request for an R-8 zoning.

Chair Carter said she thinks the majority of the traffic from the existing areas will still use Filbert Drive rather than any future connection from this site should it occur, and she said the question is whether people would prefer the road configuration that is proposed with an R-10 designation or if they would prefer a street to South End Road with an R-8 designation.

She said the PC always has a difficult challenge with zone change requests because they come before, not with, the developers' plans. However, as in this case, we must work based on the current criteria, and everything presented suggests that all criteria are met for an R-8 zone designation change. She said she has heard the citizens' comments and has also heard that the developer is willing to work with staff about access to South End Road, so she thinks they need to allow the developer to have the R-8 designation. She noted that this doesn't necessarily mean more houses, but it can mean a better, more functional development.

Main moved to approve recommendation of this zone change request from an R-10 to an R-8 to the City Commission. **Lajoie** seconded the motion. The votes were: **Orzen**—no; and **Main, Lajoie, and Chair Carter**—yes. The motion passed 3:1.

NEW BUSINESS

- **Elections:** **Drentlaw** said Municipal Code Chapter 2, calls for election of officers (Chair and Co-Chair) for a term of one year at the first meeting of the new year.

Orzen nominated Chair Carter to continue for another year as Chair. **Main** seconded the nomination, and it passed unanimously.

Chair Carter nominated **Orzen** as Co-Chair. **Main** seconded the nomination, and it passed unanimously.

- **Crosswalk Signs:** **Main** said he, too, had heard some comments about the “green crosswalk men”, which are not approved for use in the current Code. He agreed that they seem to work in reminding people to drive more slowly in the school zones and he asked if staff could look into making some kind of an appropriate change.

Drentlaw said he would check with the City Manager and the Police. He said he doesn't think the City will pursue their removal, but he will confirm the status.

Orzen asked if they are located in the street or along side the street. **Main** said sometimes they are in the middle of the street so perhaps some guidelines are needed.

Chair Carter agreed that if they are working, she would rather err on the side of safety with regard to school children, so she hopes they can continue to be used.

ADJOURN

With no other business at hand, the meeting was adjourned at 8:15 p.m.

 1.28.03

Linda Carter, Planning Commission
Chairperson



Tony Konkol, Associate Planner

To: Oregon City Planning Commission
320 Warner Milne Rd
Oregon City, OR 97045

From: Sha Spady
17855 Alden Street
Oregon City, OR 97045

Date: December 27, 2002

RE: Outdoor Lighting Ordinance.

Dear Commissioners,

This article was sent to me by a friend who lives in Bend and knew of our interest in creating an outdoor lighting ordinance for Oregon City. Though each individual municipality has unique circumstances, I thought you might be interested in how the City of Bend is approaching the situation.

Also, since my "Dark-Sky" slide presentation to you, the "decorative" lights on Molalla avenue have debuted, and, from my home in the center of Newell Creek Canyon, at night I see a large, glowing, orange reflection of "outgoing" light against the clouds in the sky above them. I can also see their light brightly outlining the pathway of Molalla Ave. at night from my office window in Oak Grove.

Is it possible for the City to retrofit these lamps with decorative shields to alleviate this excessive night shine or, at the very least, turn the lights way down so they become merely decorative (as opposed to security lighting) like the example we saw in one of the "Dark-Sky" slides?

The enclosed article mentions the idea of getting high school shop classes involved in making retrofitted shields for existing "bad" light fixtures in the Bend area. Would this sort of collaboration between the City and the O.C. Schools or Clackamas Community College be possible?

I am very interested in this issue and look forward to further discussions with you on this matter.



CC: Oregon City Commission
Joe Johnson, President, Clackamas Community College
Dan Rodriguez, Supt. Oregon City Schools

Panel eases on lighting changeouts

Required retrofitting could come in later rules; Canadian expert speaks at hearing

By Barney Lerten
Bend Bugle

A citizen panel that has been crafting an ordinance regulating outdoor lighting in Bend is trying not to pick any big fights - and so, unlike a several-years-old Deschutes County counterpart, the current proposal wouldn't require changing out old, glaring lights, figuring time would take care of that.

The proposed lighting rules were the subject of a work session, then a brief, generally favorable hearing before the Bend Planning Commission last Monday night. But that doesn't mean there aren't more questions and details to address, such as enforcement issues. The citizen committee will meet again Dec. 6 to work on those issues, before returning to the planning commission with a revised version.

Committee advisory and contracted city planner Mike Byers noted in his memo on the rules that earlier drafts had been revised and discussed by the city council's land use subcommittee, and the most recent version included changes recommended by a national lighting expert.

The short, 3-page ordinance, avoiding technical gobbledygook, is not intended to darken the night sky for star-watchers and astronomers to the point where safety and security are compromised, for property owners, motorists or anyone else, he explained. The goal, instead, is to provide safe, adequate lighting that serves its intended purpose, while reducing non-essential lighting and glare.

The rules would apply to all kinds of structures and property, including industrial, commercial and public facilities. But it would apply only to new lighting fixtures and those the bulbs replaced after ordinance is adopted, not applying retro-

actively to existing lightning fixtures.

"That is a lot more palatable," Byers said, to many property owners who had expressed concerns about the costs involved in requiring changeouts.

In a case of coincidental timing, the current issue of Sky and Telescope has the second cover story this year on the issues related to outdoor lighting and "promoting night-sky-friendly" lighting. "You don't have to fight City Hall to ban bad lights," one headline reads. "Make City Hall your friend."

The key line in the draft ordinance states: "All outdoor lighting fixtures subject to this ordinance shall be designed or have a shielding method to direct light emissions down onto the site and not shine direct illumination or glare onto adjacent property."

The draft rules go on to say all exterior building lights, "except those required for security," are to be extinguished by 10 p.m., or within an hour after the end of business hours, whichever is later, but planning commission members asked for more clarity about how a 24-hour gas station, for example, would be affected.

The rules also would require "full cutoff" fixtures, as they are known, for street lighting, meaning the bulb and shielding couldn't hang below the fixture, directing light out, instead of down. Sports fields also would have to turn off their high-intensity field lights by 10 p.m. or by the end of the day's final event.

Byers showed off some examples of retrofit shields for home lights and mentioned the idea being discussed of getting high school shop classes involved in making them.

There's a 10-item list of exemptions, including "all outdoor light fixtures lawfully installed and operating prior to the effective date of this ordinance." However, the draft rules go on to say the city later could adopt ordinances that deal with retrofitting or removal of such fixtures.

Other exemptions include correctional institutions, holiday lights up for no more than 60 days, carnivals and tempo-



Barney Lerten

In a darkened city council chambers, Lighting Committee Chairwoman Patty Rosen used a shielded light to show the point of proposed rules: Light the subject, not the sky (or your neighbor's window).

rary lights for TV or movie productions and "residential decorative ... and low-wattage lighting used to highlight driveways and landscaping ... providing they are properly aimed and shielded."

There some other, potentially sticky parts of the rules, such as ban on "the operation of searchlights for advertising or promotional purposes, and of course, the penalty for violations, which would constitute a Class C civil infraction, and be subject to abatement under the nuisance provisions of the city code.

Planning commission member Jeff Ellington asked why neon lights were included in the exemption, and Byers explained that the committee believed those kinds of lights "don't shine a light up (into the sky) that much."

Byers also noted that some areas of town, such as Broken Top on Awbrey Butte, already have far more restrictive outdoor lighting regulations than the city is proposing.

As was explained at some stakeholder meeting last June, the benefits extend not only to

better neighbor relations, but can save money as well, since not wasting light can mean using lower-wattage, more efficient fixtures.

Sharon Smith, attorney for the Bend-La Pine School District, submitted a letter expressing "concern about the impact (of the rules) on the lighting at existing facilities and costs for retrofitting."

On the other hand, Smith noted, "The Lighting Committee has taken the approach that the proposed ordinance will be for new lighting installations only. We think this is a very prudent approach. Their next step would be to adopt an ordinance that addresses retrofitting. That step will require substantial analysis and public input."

The lawyer suggested only minor modifications or clarifications to the current draft proposal, but warned of the impacts of the potential follow-up rules regarding existing lights.

Rosen, chairwoman of the citizen lighting panel, used a portable, shielded light fixture in

a darkened City Hall chambers to explain what the group is talking about - first shining the light out into the audience, then over her head.

She then introduced a special visitor: Angela Squires, public relations director for the Royal Astronomical Society of Canada's Vancouver Centre and an expert in the field of controlling light pollution.

She gave a 15-slide presentation that included satellite imagery and photos of the right and wrong way to light streets, sidewalks and the like.

"We call it responsible lighting," Squires said. "What we're talking about is good, quality lighting. We need light at night, but what we need is good light."

One slide clearly showed that a "huge increase in light pollution" in the last 30 years, she said, but some simple, common-sense regulations can reverse that trend. She quoted author and comet co-discoverer David Levy as saying that "\$3 billion is wasted annually in America, lighting the underbellies of seagulls."

**CITY OF OREGON CITY
PLANNING COMMISSION WORK SESSION
December 9, 2002**

PLANNING COMMISSIONERS PRESENT

Chairperson Carter
Commissioner Bailey
Commissioner Main
Commissioner Mengelberg
Commissioner Orzen

STAFF PRESENT

Sean Cook, Associate Planner
Dan Drentlaw, Planning Director
Tony Konkol, Associate Planner
Nancy Kraushaar, City Engineer
Pat Johnson, Recording Secretary

ALSO PRESENT

John Klucken, CTAC Member
Tim Powell, CTAC Member

Gillian Zacharias, David Evans & Associates

PLANNING COMMISSIONERS ABSENT

None

OPENING

Chair Carter opened the meeting at 6:08 p.m.

PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA

None.

APPROVAL OF MINUTES AT THE DECEMBER 9, 2002 MEETING:

October 2, 2002; October 14, 2002; October 28, 2002; and November 13, 2002

The following corrections were noted:

- Minutes of 10/2/02: **Orzen** noted that "Abernathy" should be spelled "Abernethy" (page 3, paragraph 2). Also, "Holliday" should be spelled "Holladay" (page 8, paragraph 5). **Main** said the name referred to as "Thomson" should be "Townsend" (page 9, four references throughout page).
- Minutes of 10/14/02: No changes.
- Minutes of 10/28/02: The words "rider ship" should be changed to a single word of "ridership" throughout the document.
- Minutes of 11/13/02: **Orzen** noted that the heading of the document should indicate CTAC, not the City Commission.

Orzen moved to accept all four sets of minutes with the changes as noted (for 10/2/02, 10/14/02, 10/28/02 and 11/13/02). **Mengelberg** seconded the motion and it passed unanimously, except that **Main** abstained from voting regarding the 10/28/02 minutes since he was not in attendance at that meeting. (**Bailey** had not yet arrived.)

CONTINUANCE OF THE COMPREHENSIVE PLAN REVIEW

Chair Carter reopened discussion of the Comp Plan proposal. **Drentlaw** reminded everyone that the Commission had worked through Section C—Housing and recommended that they work through the document page by page again, as they did the last time. So they began with Section D—Commerce & Industry.

Page D-1:

Chair Carter made the following comments:

- She said the word “contributes” in line 2 of Policy D-1 should be “contributing” and “that” needs to be inserted in line 3, so the section would read, “contributing to a broad and sufficient tax base, and that does not compromise....”
- She said that Policies D-2 and D-3 sound like basically the same policy.
- On Policy D-4, she said word “that” needs to be inserted in front of “all new commercial” in line 1, and she suggested changing the word “to” in line 2 to “would” so the phrase would read, “...and institutional development would feature...” but Zacharias said “that” doesn’t fit. The decision was to leave the line as is.

Mengelberg noted that Policy D-2 says, “...provide screening and buffering from adjoining residential neighborhoods...” and Policy D-4 says, “...provide screening and buffering from adjoining lower-density residential neighborhoods.” **Chair Carter** had noticed the same, and said that 2, 3, and 4 all seem to say about the same thing. Especially in D-4, part of the sentence is that we’re encouraging “through regulations, education, and incentives” and then it describes what pieces of planning we’re encouraging. Also, D-3 says we expect high-quality design and D-4 talks again about building, signage and landscaping.

Powell said D-2 talks about the general idea of what we want, D-3 talks about looks and livability, and D-4 talks about offering people incentives to do it. He asked if they could perhaps combine them into one. However, **Chair Carter** suggested explaining each one more clearly. For incentives, perhaps D-4 needs to explain a little more about the incentives, although she thinks D-2 reads okay as is.

Mengelberg suggested ending D-4 after “landscaping” and deleting the rest of the sentence, since “screening and buffering from adjoining residential neighborhoods” is already in D-2. **Drentlaw** concurred.

Main noted the phrase in D-3 that talks about Commercial and Industrial yet says, “enhances the livability of the neighborhood”, and he asked if the word “neighborhood” is sufficient or if it should perhaps say “surrounding neighborhood” or “adjacent neighborhoods”. **Zacharias** said parts of them are in neighborhoods and they are usually adjacent to something. **Mengelberg** noted that a business like Starbucks could increase livability.

Regarding this whole section, **Chair Carter** commented that the NEMO concepts seem to have come to a standstill as far as them coming up with Code language, and she asked if we wouldn’t still want a policy for Commerce and Industry to attempt to do environmentally-friendly construction. Even though we might not be using NEMO per se, we would still expect those concepts.

Main thought this might be more appropriate in Section F – Natural Resources. **Orzen** thought it should be referred to in Commerce and Industry as well and then perhaps detailed later. **Chair Carter** agreed because she said if someone is considering building a commercial building on a flat, unimpeded piece of property, they wouldn’t be reading the section on natural resources. **Orzen** said if they have the opportunity to use grass-crete instead of concrete or asphalt as a viable option, which should be mentioned under “Commerce.” **Mengelberg** suggested saying, “Encourage the use of pervious surfaces wherever practical.” **Chair Carter** said it could include that and any other design standards that would be environmentally friendly, possibly south-facing buildings, solar panels, etc. **Cook** said that could be added into D-4, which already references “attractive buildings, signage and landscaping” or it could be made more distinct in a separate “D-5.” **Chair Carter** said she thinks it should be a stand-alone policy. Staff will work on this.

Main read sentence 2 in the first paragraph on page D-1 which says, “Vacant industrial land in the city limits and UGB must be monitored....” He said it sounds like the land must be in the city *and* in the UGB in order for

it to be monitored, and he wondered if it should be worded differently. **Mengelberg** noted that everything within the UGB is not necessarily in the city, and **Zacharias** said they would usually make a distinction and just think of unincorporated land within the UGB. **Main** said the word "and" makes it sound like it has to be both, and some said that it would be both. **Drentlaw** said this says to him that we will monitor both in the city limits and in the UGB, but said the line could say "and/or..." **Chair Carter** suggested saying, "Vacant and industrial land within the city limits for immediate usage and the UGB for future usage." **Zacharias** noted that inherently the city is within the UGB. After further consideration, they decided to say "and in the UGB...."

Main noted that the wording in the 6th line of the same paragraph says "and support for home based businesses" and he said he had never thought about the city supporting home-based businesses. **Chair Carter** said she had a similar question in another section. **Powell** said the discussion at the time was for support of businesses such as Kinko's or other services that would support people who are working from their homes.

Mengelberg noted that home-based businesses are discussed later on, and she said there are many home-based entrepreneurs that don't generate a lot of traffic, pollution, noise, etc. She said this could be thought of as an "incubator strategy" because they grow, they expand to an industrial area or business park, and they start hiring employees. **Drentlaw** concurred that one advantage is that they don't generate much traffic because they are working out of their homes, and **Powell** agreed that there are a lot of them.

Main said he simply had not thought before about whether or not the city encourages such, and **Chair Carter** said we basically support it. However, she noted that we need to be careful that they don't get out of hand because they could get out of hand (i.e., with signage, etc.) and abusive to the neighborhood if not monitored. **Mengelberg** said that is why we need to adopt a home occupation ordinance, which is an action item. She said Clackamas County has done this, and there are lots of examples to look at when the time is right.

From the same paragraph (line 7), **Main** read the phrase "This element, and the supporting resource document" and asked what that is. **Zacharias** said that is the technical report that supports this element (calculations of vacant lands, the employment density, etc.) It is included in the Contents and in Tab 2, but **Zacharias** said she will add the name of document to this paragraph.

Pages D-2 and D-3:

Chair Carter said the letter "s" should be deleted from the word "improvements" in line 1 of Action Item D4, and "Willamette Falls" in Policy D-13 (page D-3) needs another "l". Also, in Policy D-14, she suggested including "the high school," between "the college," and "the Workforce Investment Council...." **Zacharias** suggested "the School District" instead of "the high school", which was agreed upon.

Drentlaw asked if the reference in Action Item D-8 should specifically say "campus master plan" or if it should simply say "master plan." There was concurrence for "master plan." With discussion of the same on Action Item D-9, the decision was to delete D-9 completely since it is covered by D-8.

Kraushaar asked if the reference to "Red Soils site" in Action Item D-6 should say "Red Soils area" since the site is almost completely developed now. Agreed.

Page D-4:

Chair Carter asked if Action Item D-12 ("Create a Planned Development or Master Plan provision and review procedure that will allow developers to promote comprehensive evaluation and planning of new development....") is more a policy than an action item. **Kraushaar** said it needs action but she thought perhaps they could incorporate the idea of flexibility expressed herein into Policy D-19. However, there was concern

that the policy not allow too much flexibility, but that could probably be controlled when the Code is written for it.

Action Item D-13 says, "Prohibit retail uses with more than 60,000 gross square feet of leasable floor area per building or business in areas designated as 'employment areas' by Metro." The following related items were discussed:

- **Chair Carter** asked what is meant by "employment areas" and **Drentlaw** said Metro has a specific definition for it.
- **Mengelberg** asked, if the idea is to curb "big box development, do we mean a footprint of 60,000 square feet or less, or would we care if the building were built in two stories? **Drentlaw** said he reads it to mean 60,000 gross square feet of usable area, even if it is two stories.

Mengelberg said if the requirement is for 60,000 square feet or less, we are encouraging density and more efficient use of the land, and asked if that is a bad thing. **Drentlaw** said we have a very short supply of industrial land in the region, but the pattern seems to be for big box to come in and utilize that land for retail rather than employment. **Mengelberg** noted that it requires a lot of parking, and **Powell** said part of the CTAC discussion was about eliminating parking or at least sharing parking with landscape in the parking area to mitigate large impervious surface. (**Mengelberg** noted that the parking is based on square footage, not the footprint.)

Chair Carter asked if we need some explanation of the Metro definition is as it pertains to employment areas, and **Drentlaw** suggested that could be put in the background. **Drentlaw** explained that Metro has three categories, of which the business must meet two out of the six criteria (i.e., large contiguous property, availability of utility connections, proximity to major transportation facilities, etc.) He said Metro has looked all over the region to find those areas and then has encouraged local jurisdictions to protect them. One of the ways to protect them is to prohibit commercial. **Powell** said in Oregon City those currently include Red Soils and Fir Street, and **Chair Carter** asked if the Parker area is in the regional center core area, but **Drentlaw** said none of those is specifically name in the Metro plan as regionally significant, although they could be. He said they are thinking strictly industrial.

The conclusion was to leave Action Item D-13 as is, and **Zacharias** noted that there is a brief discussion of it on page D-12.

(**Bailey** arrived at 7:40 p.m.)

Bailey said he had attended an economic summit at which there was a lot of discussion about the need for "traded sector businesses." **Mengelberg** defined that as being about a company's ability to bring new money into the region serving a larger market than the region. For instance, a hairdresser or a grocery store serves the local market, whereas a traded sector company would be selling their product overseas and bringing the money from those sales into the local community, producing a much more stimulating and stabilizing effect on the economy. **Zacharias** said manufacturing tends to be more traded sector, as well as high tech services. She also noted that it isn't necessarily a physical product but it could be a product such as consulting or information.

Bailey asked if we are looking toward those types of businesses in the future, and **Mengelberg** said she thinks we should.

Page D-5:

Chair Carter asked if we are continuing to encourage government offices in our historic downtown, as stated in Policy D-26. **Kraushaar** said, as part of a regional center, we should be. **Bailey** and **Orzen** agreed, as did

Mengelberg. **Bailey** noted that they attract business during the day and they provide employment. **Zacharias** said it would probably be better if the city government was located there, but it isn't. Since it doesn't specifically say what kind of government, the conclusion was to leave this policy as is.

Drentlaw had a question about the entire Goal D-6 – Regional Center. He said there was quite a bit of discussion about this topic in the Housing section as well, and he suggested it might be good to make it a separate chapter rather than a section within Commerce and Industry. **Bailey** noted that there are a number of cross-over issues, but it doesn't hurt to mention them in the different areas.

Mengelberg noted that Action Item D-16 says we are encouraging government offices within the Campus Industrial zone and asked if that is what we want. **Bailey** suggested we make note of some of the zone references during this first review but he said we may want to re-address the overall issue of zones later so we are not limited by the pre-existing definitions. **Drentlaw** said he thinks the good concept in this action item has to do with not having storage facilities in the campus industrial zone.

Chair Carter noted that this is an action item, not a policy. However, she suggested that it should be a policy that says we are restricting low employment uses, and asked if it is in the policies. **Zacharias** said this is related to government within public uses. **Bailey** agreed that it is much more of a policy statement, and that Code would then be written to accommodate the policy, which becomes the action item.

Mengelberg said it seems like government offices should be in an office zone but businesses that involve parking school buses or trucks, or making signs should be in an industrial zone. The issue is to identify them by use.

Powell noted that the State has an office in the Red Soils Campus Industrial area and the County wants to move into that area, which is what they (CTAC) were talking about in discussing this item. **Drentlaw** said perhaps they should change the zone there, and **Bailey** agreed, saying perhaps it should be Mixed Use Employment. He said he personally is thinking of a civic center in that area.

Powell said the concern is that we already have empty buildings that don't meet Code so we don't want to exacerbate the issue. He said we need to fix the zoning and utilize what is already there. **Cook** said that is part of the housekeeping issues staff is working on, and he noted that there are two issues: (1) Fixing the CI zone (which is being reviewed) and (2) considering what to do with the Red Soils area—whether it should be more Campus Industrial or Mixed Use.

Regarding this particular action item, **Kraushaar** said she thinks the focus should be on the restriction of low employment uses, not public rights. **Chair Carter** suggested combining Policy D-17 and Action Item D-16. **Zacharias** said the policy is for the broader all-industrial uses restricting commercial and other land uses that gobble up industrial land, and the action item is talking about Campus Industrial only. **Drentlaw** suggested moving Action Item D-16 to the section that talks specifically about the Campus Industrial zone.

Kraushaar said she wasn't sure why government uses are included in Action Item D-16, but **Powell** said it was included specifically to address Red Soils.

Drentlaw then suggested focusing D-16 to limiting storage and low employment uses of Campus Industrial. It would read, "Restrict low employment uses, such as storage of building materials or vehicles, within the Campus Industrial zone."

Bailey asked if we know what plan designations other cities are using (i.e., Tualatin, Wilsonville, etc.) that have already addressed some of these zoning issues. **Mengelberg** said Clackamas County has a Light Industrial and an Other Industrial zone (which is more like the Campus Industrial, which has no outside storage and more attractive landscaping requirements), and it has a Heavy Industrial zone which allows outdoor storage and is more like the true manufacturing use that is typically thought of. There is also a Business Park zone, which is more like the Campus Industrial but much more business... Interjecting **Drentlaw** said staff is currently looking at that model with those three types of zones. **Cook** added that Oregon City's Campus Industrial is completely different than most other Campus Industrial in that it is really restrictive and actually lists a couple of small things and then government offices. In other cities it is meant for things like an Intel.

Chair Carter asked if we should make these clear here. **Zacharias** said there is discussion in Chapter 1 about the different types of plan designations, so the concepts have already been introduced. However, **Mengelberg** said it only identifies Industrial and doesn't identify Campus Industrial (pg. A3). **Zacharias** said they could perhaps describe how uses tend to be categorized. **Chair Carter** agreed, saying although Action Item D-16 describes the uses, the Campus Industrial has never been introduced or defined.

She noted that this seems to be part of the difficulty in following the document because words, phrases, or obscure references just pop up everywhere. She said if the Comp Plan is supposed to drive development, this document is inadequate to do so as it stands. **Drentlaw** said a lot of the ideas and issues do tend to overlap and **Kraushaar** said she doesn't think it hurts for things to show up in different places. **Mengelberg** suggested cross-referencing throughout, but **Kraushaar** said that can be very complicated.

Bailey encouraged that they not link the Comp Plan to specific ordinances, which can change often, because he thinks the Comp Plan itself should be more general. **Chair Carter** asked if staff feels there is enough guidance in this document for their use, and **Drentlaw** said yes because they can then turn to the various supporting documents and ordinances for the detail.

Kraushaar noted that the word "multi-model" in Policy D-24 should be spelled "multi-modal."

Bailey suggested that they explain further what a regional center is under Metro requirements, and **Main** suggested that it could be a separate section, as mentioned earlier.

Going back to page D-4, Policy D-19, **Bailey** read, "Encourage sub-area Master Planning for larger developments or parcels..." and asked if we could include "redevelopment" in that line, thinking specifically of the Willamette Falls Hospital area. He also thought that inclusion in this section of the description of a master plan and what triggers it would be good (including issues such as size limitations, complexity factors, etc.) **Mengelberg** said it might be hard to see because development would probably happen in discrete phases. **Drentlaw** said Action Item D-8 on page D-3 discusses master plans and suggested combining that into Policy D-19 on page D-4.

Mengelberg proposed moving Action Item D-8 to become a policy under Goal D-5 – Efficient Use of Land. **Bailey** suggested striking the word "campus" in the first line of Action Item D-8, so it would read, "Develop a "master plan" or "planned development" requirement..." (**Kraushaar** noted that the capitalization is not really necessary on the words "Master Plans" in Action Item D-8.)

Returning to page D-5, **Main** asked about the phrase "eminent domain" in Action Item D-20. **Kraushaar** said that is legal terminology for condemnation. **Mengelberg** suggested softening it to include "where purchase of the use of eminent domain..." and **Chair Carter** suggested changing the term to "public acquisition" instead of "eminent domain." Agreed.

Bailey asked, for clarification, if action items are policies, and was told no. He was asking because in many cases these almost seem like it. **Mengelberg** said Action Item D-18 looks like policy, and **Bailey** suggested that in the second review they need to look closely at them again to determine which are policies and which are action items.

Pages D-6 and D-7:

Chair Carter asked if Action Item D-22 should be deleted since the Holly Lane area is not a regional center area. **Mengelberg** suggested moving it to Goal D-7 – Retail as an action item.

In Action Item D-24, **Drentlaw** suggested crossing out “Mixed Use” in line one and deleting the entire last sentence. Then he suggested simply saying, “Create a Mixed Use zone...” since this is going somewhat against the grain of what was said before about significant employment areas, which don’t have mixed uses. **Chair Carter** said they had also discussed how significant employment areas would still need to be Mixed Use in the respect that they would have supporting retail. **Drentlaw** said the Metro model gets very specific about that but it is a very minute part of the total usage. This seems more wide open than that. He still suggested deleting the last sentence.

Mengelberg said it seems like Action Item D-22, which describes where the retail center should be, should actually be part of Policy D-27. **Chair Carter** said the neighborhood people in South End don’t seem to want to add grocery stores because they can easily get to Haggen’s, and the area of South End Road that really needs a grocery store is more toward the north end of it since they don’t have easy access to a grocery store. **Mengelberg** noted that expansion of the UGB may change that, and **Kraushaar** said they need to consider the difficult transportation routes as well.

Drentlaw said Sean Cook had had an interesting discussion with the owner of the church property that had been identified as a possible commercial area. **Kraushaar** said they need to look at it from the perspective of benefit to the entire city, not just a particular community.

John Klukun, CTAC member, said he had attended the last neighborhood meeting and those residents are really opposed to having any kind of retail in that area, although they are not opposed to growth if it is done properly. He said they like the rural feel and they don’t think the roads will support additional traffic for retail business.

Bailey said this long-range document is written to be permissive (in allowing something to happen), but not prescriptive.

Chair Carter suggested deleting Action Item D-22 and leaving the policy as is in its description to encourage development to be more “complete community” oriented. **Mengelberg** suggested the wording, “Allow development of medium-sized commercial centers in underserved areas.” **Main** agreed that it doesn’t need to be an action item.

Drentlaw said he likes the reference to 6-10 acres on a collector, and **Main** said that could be incorporated into Policy D-27. **Mengelberg** suggested, “Allow development of medium-sized commercial centers of approximately 6-10 acres in size to be located on a collector...” and take out the references to specific geography.

Mengelberg said that she had heard or read the suggestion that there should be some kind of a community center every quarter of a mile (a school, a shopping center, etc.) because people aren't going to walk more than a mile to anything, which was part of the discussion behind this action item.

Chair Carter reiterated Bailey's thought that the action item doesn't need to be so specific in location, and **Mengelberg** suggested deleting the words "south-end and east side" from the first sentence of Action Item D-26. It would read, "Allow the development of at least one new medium-sized commercial center to serve each of the underserved areas." Agreed.

Zacharias noted that there are different levels of commercial development and said Action Item D-27 is about small retail centers whereas Action Item D-26 is about medium-sized commercial centers.

Drentlaw said Action Items D-24 and D-25 have some similarities in that they are both talking about creating a Mixed Use zone, and asked if there might be a way to combine them and take out the specific reference to the location. **Mengelberg** said they are different because the Mixed-Use Office and Residential (MUOR) in D-27 is different than the Mixed-Use Employment (MUE) zone in D-26. **Drentlaw** said he thought the Comp Plan could just talk about the concepts of a good Mixed-Use zone without putting in the specific zones, which could box us in.

Chair Carter asked if we would apply this new zone to the End of the Oregon Trail area (as stated in the last sentence of Action Item D-24), but **Drentlaw** disagreed.

Chair Carter said there was still some confusion because Goal D-6 is about regional centers, but the action items are unrelated to the regional center area. **Zacharias** thought they did because this was the first mention that this needs to be applied. **Chair Carter** reiterated that we need to eliminate any specific references to particular areas. **Zacharias** said if a separate chapter were created for the regional centers, we could simply move Action Item D-26. **Kraushaar** noted that the issues discussed about regional centers also fit into many areas. **Chair Carter** noted that Goal D-6 is already about Regional Centers so perhaps a new chapter isn't needed; however, maybe it just needs a more defining opening paragraph.

Chair Carter said it is hard to catch the difference between small or medium-sized centers when just reading through the document. **Drentlaw** suggested grouping them, and **Bailey** suggested including a definition for each. **Mengelberg** said this, too, could be defined better in the opening statement.

Kraushaar suggested deleting the word "convenience" from the first sentence in Action Item D-27 so as not to lead to the conclusion of a 7-Eleven store. She suggested that it read, "Allow new neighborhood commercial centers, primarily providing goods and services for local residents and workers,...."

Mengelberg asked if Molalla Avenue should be specifically mentioned in Action Item D-28. **Bailey** said he is not opposed to a master plan or sub-area plan along Molalla, but he wondered if there was an agenda in the background inferred by the phrase "selected stretches" in line 1.

Chair Carter suggested omitting "stretches of Molalla Avenue" and inserting "corridors" or "arterials...." **Mengelberg** suggested "major arterials" and **Zacharias** suggested "minor and major arterials...." **Bailey** asked if this would be giving direction to the City to do this, and **Mengelberg** noted that Molalla Avenue already has the transportation facilities and access management done; it just doesn't have the land use. **Powell** said they tried to be specific in the action item this time so they could get it done. **Drentlaw** suggested the wording, "Develop local area or "specific plans" for arterials...." **Kraushaar** said that would be okay as long as isn't requiring the City to re-do the Transportation and Access Management Plan for Molalla Avenue.

Seeking clarification, **Zacharias** asked if the recommendation is to change it to be all arterials or leaving it as Molalla specific. **Chair Carter** said she doesn't think it should be limited to that because there are stretches of Beaver Creek, Washington Street, and others that need similar thinking. She suggested saying, "Develop local area or 'specific plans' as needed for minor and major arterial corridors...." **Zacharias** said this is an action item and asked which ones we are going to do and in what order. **Drentlaw** said this action item was specific to Molalla.

Chair Carter asked if this is really a policy, and if we have a policy in place. **Powell** said Policies D-28 and D-29 address it. Policy D-29 says, "Develop local neighborhood or 'specific' plans where appropriate to blend infill development along linear commercial areas...." and D-28 says, "Encourage the redevelopment of linear commercial corridors...."

Mengelberg asked if other streets should be added to Action Item 28. **Drentlaw** suggested saying, "selected arterials, including Molalla." **Kraushaar** said Molalla is unique in that it is a transit corridor, and she suggested saying "for transit corridors" which would be all-inclusive. **Chair Carter** said this could include an example by saying, "such as Molalla Avenue or Holcomb Boulevard..."

Zacharias asked if "transportation facilities and access management" is being left in, and was told yes. Also, in line two of Action Item, the wording would be, "...that address corridors comprehensively,..." rather than "that address this corridor...."

Drentlaw asked what the "Revised Master Plan" is on Action Item D-31. **Kraushaar** said the End of the Oregon Trail Interpretive Center had one master plan, which is constantly under change.

Bailey said this is an example of including things in the action items that are temporal. **Kraushaar** said action items are somewhat temporal in themselves, but she asked what the avenue is for doing that (supporting the implementation of the revised master plan). **Mengelberg** said one of the frustrations for the End of the Oregon Trail Center was that they had to come ask permission of the City every year to rent the land, so she suggested that the Comp Plan could state that the City will be supportive of the Revised Master Plan to give them some assurance of a long-term commitment. **Chair Carter** suggested that it should read, "To support the long-term viability of The End of the Oregon Trail Interpretive Center." **Powell** said their Master Plan already says that, so saying this in the Comp Plan would confirm that both parties are aiming in the same direction.

Bailey said he would not say "Revised", and **Chair Carter** suggested saying "current", which would cover whatever version is in place at the time. **Orzen** suggested, "Work with the End of the Oregon Trail Interpretive Center to implement their Master Plan." **Chair Carter** suggested simply deleting the word "Revised". Staff will work on wording.

Regarding Goal D-8 Tourism. **Bailey** said he would like to see that statement ("Support tourism as an important aspect of the City's economic development strategy") be more specific. He suggested, "Ensure land uses and transportation connections that support tourism" because this involves land uses and what we do through enforceable ordinances.

Drentlaw said he thinks it goes beyond land use, saying it is also the way the City spends its resources. **Chair Carter** said the policy is more specific, and **Bailey** said he would like to see a policy that ties tourism to historic natural resources as the basis for tourism and a tourist-based economy. **Kraushaar** asked if that is in a different section besides Commerce and Industry, and was told it is in the Historic section. But as a policy, **Bailey** would

like to say that we are actively linking our tourist-based economy to these other elements of the historic and natural resources.

Chair Carter noted that tourism isn't normally a topic for the Commerce and Industry section but **Bailey** said tourism is commerce. After some discussion, it was decided to expand the definition to explain what tourism consists of (i.e., historical assets, recreational assets, natural resources, Saturday Market, etc.) The action would be to support that goal by supporting the Chamber, the County's tourism, the End of the Oregon Trail, the museums, etc. **Mengelberg** asked if we should add "and area attractions" in the wording. Agreed.

Chair Carter said this would also encompass future attractions, such as fish ponds. **Bailey** said the master plan for the Cove area is really exciting and such a thing could easily be incorporated there. He added that another potential draw is Willamette Falls.

Chair Carter suggested the following wording for the opening statement: "Support and encourage tourism, such as (see ideas above) because it is a vital aspect of the City's economic development strategy."

Zacharias suggested that the policy could say, "Protect historic, recreational, and natural resources as a basis for tourism", which would allow the goal to stay simpler and broader.

Bailey said another part to consider is how we support these. For instance, we need places for people to stay, restaurants, coffee shops, etc. **Chair Carter** said the action items for this are really good and clear.

Zacharias summarized that we are adding another policy that says, "Protect historical, recreational, and natural resources as a basis for tourism."

Pages D-8 and D-9:

Regarding Goal D-9 Home-Based Businesses, **Bailey** said he thought the wording for the goal was fine, but asked if Policy D-31 should begin with "Encourage" or "Enable" or "Provide support for...." **Chair Carter** liked the word "enable" because she wasn't sure we are really ready to *encourage* home-based businesses. **Mengelberg** suggested striking Policy D-31 and keeping Policy D-32 ("Ensure that home-based businesses are low impact and do not disrupt the residential character of the neighborhoods in which they are located.") General agreement.

Bailey said he understands the intent of Policy D-33 but he thinks it needs work. **Mengelberg** suggested saying, "Encourage support services that home-based businesses need" and delete the detail of various types of businesses. Others said they think the detailed list is okay. **Powell** said some other cities have done well encouraging home-based businesses, and he has heard from several people that it would be nice to have a Kinko's nearby without having to go to a mall.

Chair Carter suggested moving the detailed list to an action item. **Zacharias** asked if we should add a new action item that says, "Encourage business-related resources..." and **Kraushaar** clarified that the policy would be to encourage support services that home-based businesses need and the new action item would be to encourage related resources such as a public library, etc. Agreed.

Regarding Action Item D-40, **Chair Carter** said she thinks the wording is pretty vague about allowing small signs, the number of employees, and the number of customers coming to the home-based business. **Mengelberg** said that is why we need to develop a home office ordinance, which **Bailey** said is the action item. The decision was to delete D-40 and add signage to D-41.

Page D-9:

Under Goal D-10 Industrial, **Chair Carter** said she thought the goal was fairly straightforward, but had a question about the phrase "other use collaterally supports..." in Policy D-36, line 2. **Zacharias** said she thinks that simply refers to small spin-off businesses such as a copy center or a deli shop to support employees in, perhaps, the Campus Industrial area. This is an effort to restrict non-industrial land, but still give some flexibility.

Mengelberg said another thought is that Clackamas County allows a certain percentage of the building to perhaps be a showroom or something, but that would be spelled out in the zoning ordinance rather than in the Comp Plan.

Bailey suggested using the word "periodically" instead of "continually" and "served by" instead of "serviced with" in Action Item D-34, line 1.

Chair Carter said she thinks this section reads well, and there were no other changes on this page.

Page D-10:

Under Goal D-11 Transportation System, **Chair Carter** said the end of line 2, Policy D-41, should read, "...flexible schedules or telecommuting options..." ("or" not "and").

Powell asked if there was mention of the trolley in this section, and **Zacharias** said it was mentioned in the Action Item D-37 under Goal 8 - Tourism.

Kraushaar thought that some reference to the Transportation Management Association (TMA) might be appropriate in this section. **Powell** said he was really thinking of shuttling people back and forth. **Main** suggested it might fit under Policy D-39 which says, "Through coordination with TriMet and local employers, encourage and promote the use of mass transit to travel..." **Mengelberg** suggested they might add this as an action item to explore feasibility of a local TMA system.

Bailey asked if they should include something about a transportation system in relation to the hospital. He said it is a huge employer with the potential to grow, yet there is no mention of it in this longrange document. It has a real presence in the city as an employment center and it will be a trip generator and a destination, yet there is no discussion of the transportation needs to service the community and the hospital. **Chair Carter** agreed, saying their big complaint about future development is that there is no good access.

Mengelberg read from Policy D-13 (page D-3), "Work cooperatively with Clackamas Community College and Willamette Falls Hospital to help facilitate their expansion, and encourage master planning for future expansions."

Bailey said that starts to get at it, then said perhaps it is a question of bigger scale. He asked if we want to not just "tolerate" by having a master plan area, but if we want to actually promote it and, as a policy, encourage that kind of development and related medical businesses and technology. This would included redoing streets and transportation to serve that area. The option is to just let it happen.

Chair Carter read the goal, which says, "Locate businesses in areas served by the type of transportation system they need." She suggested that perhaps it would be better to say "Provide transportation for existing major employers who do not have adequate transportation needs."

Chair Carter added that the hospital has a specific concern that they might not be able to stay competitive with Providence or other large hospitals because of the lack of good transportation access, so it seems like a good idea to say that the City recognizes the need and will try to facilitate it.

Cook noted that some changes have been made on the map just across from the hospital (on the west side of Division), which include the addition of a Limited Office area. **Kraushaar** said there could perhaps be some consolidation as some of the older homes which are needing major work, and she said the Commerce and Industry section is probably a good place to insert this. **Chair Carter** agreed, saying we want to ensure that future businesses are developed where they can be adequately served, but we must address the existing businesses.

Zacharias asked if Goal D-3, Policy D-15 is not as strong as we would like to see it.

Bailey asked what we do if someone like Providence came in and presented an application. **Chair Carter** said she thinks part of the resolution is to add wording in the Transportation System section that existing large employers who are not being adequately served by the transportation system will be a high priority. **Kraushaar** suggested there also be some elaboration under Retention of Existing Employers. **Bailey** asked if staff could work on an action item more specific to the hospital, and **Mengelberg** noted that it should include more than just the hospital, since there is also an eye center, the retirement center, and other related entities.

After more discussion, **Chair Carter** suggested adding "and other major centers" after "to reach out to existing industrial establishments" to Action Item D-7, line 2 on page D-3. **Drentlaw** concurred with the idea of writing a specific action item for the hospital and said staff will work on the wording. **Chair Carter** said it should include all pertinent elements, including transportation, land availability, signage, height restrictions, and parking.

Chair Carter summarized that they also suggested including something about adding something about the TSP for the existing businesses in general on page D-10. She noted that there is a difference between new areas coming and what the existing areas need.

Kraushaar said the transportation issue has come up with a recent application and we say well that we will encourage multi-modal transportation but we don't talk about preserving certain land uses so that we don't overload the transportation system. **Zacharias** said this started out to say that businesses are going where they match the transportation facilities, but perhaps that should include the idea of land uses.

Mengelberg suggested stating the goal as follows: "Locate businesses in areas that are served by adequate transportation capacity." **Chair Carter** said "type of transportation system" in the current verbiage is good because it leaves it open to transportation types such as rail or air, and suggested perhaps, "...served by capacity and type of transportation...." Staff will consider other wording for this goal.

Regarding economic development, **Bailey** said it seems that somewhere in Land Use planning we would want to provide entrances or gateways into the City and say how they are defined to help promote the identity of the City. **Mengelberg** suggested putting something about it under Tourism.

Page D-11:

There were no changes.

E. Historic Preservation, Page E-1:

Bailey said he thinks the first paragraph (following Chapman's quote) should say "Oregon City stands out in Oregon and in the Portland Metropolitan Area...." (adding "Oregon and").

Bailey asked what is meant by "architectural significance" in Goal E-1. The statement reads, "Encourage the preservation and rehabilitation of homes and other buildings of historic and architectural significance in Oregon City."

Powell said the City (within the Historic Review Board) defines "historic significance." For instance, his own house is considered of historic significance because of its battered cement columns.

After some discussion, it was decided that the phrase toward the end should say "historic or architectural significance..." rather than "and".

Regarding Policy E-1, **Bailey** suggested deleting the word "compatible" at the first of the sentence and adding "to be compatible with historic architectural appearance." After some discussion, the decision was to change it to say, "...to be compatible with the historic character of the surrounding area" to the end of it.

Regarding Policy E-2, **Bailey** read, "Create Historic/Conservation Districts...." He asked if that means City, State, or National, or perhaps all three. **Powell** said McLoughlin is a conservation district. He said it is currently a City designation but application has been submitted to make it National. It can be both, he said. **Bailey** said this needs a fuller explanation.

Chair Carter said this is addressed in Policy E-5, which says, "Support efforts to obtain historic designation at the state and national level for historic sites and districts. She suggested that the word "city" be added to the options. **Drentlaw** also suggested adding these to the list of definitions.

Regarding Policy E-8, **Chair Carter** asked what a "Certified Local Government status" is. **Drentlaw** said it is a designation from the State that allows a City to obtain State funds, and is defined on page E3.

Regarding Policy E-6, "Preserve and enhance the City's historic resources by continually updating the City's inventory of designated structures, **Bailey** suggested changing "continually updating" to "maintaining". Also, the word "structures" is misspelled as "strucutres."

Page E-2:

Regarding Policy E-9, **Bailey** suggested deleting "The City shall" and starting the sentence with "Encourage."

Also regarding Policy E-9, **Mengelberg** noted the term "to preserve historic structures" and said typically the requirement is to preserve the outside but not much care is given about the inside. **Powell** said the owners must only preserve the interior if the house is on the National Register. **Mengelberg** gave an example of a large house with small rooms wherein the owner wants to enlarge and modernize the rooms. **Powell** said it could cause a real battle to specify internal or external, and **Drentlaw** said that is getting too detailed in policy.

Regarding Policy E-12, **Bailey** read, "Publicly owned properties should be designated locally, regionally and nationally." He asked, Designated as what? He also asked what is meant by "Publicly owned property"? After some discussion, **Kraushaar** said it could read, "Publicly owned properties should be considered for considered for local, regional, and national designation." Agreed.

Chair Carter said she thinks Policy E-15 is a good policy (regarding a master plan for the Blue Heron Paper Mill to ensure that existing historic buildings are preserved and new development is compatible).

Bailey asked if the phrase "will be used" would be better in the first line of Policy E-15, rather than the current wording, "A Master Plan process is recommended...." **Zacharias** read from page K-2, Policy K-16, which says, "Require approval of a Master Plan prior to approval of any proposed redevelopment or change in use of the industrial site at...Blue Heron Paper Company...." **Bailey** agreed with putting it there rather than in the Historic section, but **Powell** said it should be addressed in this section as well since it is an historic site. **Bailey** then suggested that it read, "Ensure that existing historic resources on the Blue Heron site are preserved through a Master Plan...."

Drentlaw had a format question because he said the recommendations after each paragraph on pages E-4 through E-8 seem like action items and **Bailey** agreed that if they are not already covered in the action items, they should either be moved or added as such.

Bailey asked if the criteria for historic districts as listed on page E-4 is policy or if it is an existing set of criteria. He suggested that the line read, "Historic districts are areas containing buildings with significance...." However, **Powell** said this section is talking about districts, which is why the word "concentrated" is included. He said the McLoughlin area is sufficiently concentrated to be designated as an historic district, but the entire city of Oregon City is not.

Bailey read from paragraph 4, line 4 of page E-4, "Once damaged by extensive building cover, archaeological sites are lost. He suggested changing it to read, "Once a site is damaged by extensive building cover, archaeological values are likely to be lost."

In paragraph 3 under Historic Districts, **Bailey** suggested inserting "as an historic property" so the line would read, "Designation as an historic property assures the owner that a compatible setting will be maintained."

Regarding the Canemah Historic District (last paragraph on page E-4), **Bailey** suggested that it be changed to read, "Canemah is a significant example of a relatively in-tact historic riverboat town with architectural resources dating from the 1860s."

It was noted that the last page in Section E (an e-mail from Thomas Bennett) was inadvertently included and should be removed.

Both **Bailey** and **Chair Carter** gave small editorial comments (grammar, punctuation, etc.) to staff.

Chair Carter said this meeting will continue on Wednesday, Dec. 11th at 6:00 p.m., and will also be continued to Monday, Dec. 16th at 6:00 p.m.

OTHER BUSINESS

Bailey reiterated earlier comments that the Master Plan for the Cove Area is really exciting and has great potential.

With no other business, the meeting was adjourned at 9:00 p.m.

CITY OF OREGON CITY PLANNING COMMISSION

320 WARNER-MILNE ROAD
TEL (503) 657.0891

OREGON CITY, OREGON 97045
FAX (503) 722.3880



TO: Planning Commission

FROM: Tony Konkol, Associate Planner

DATE: January 16, 2003

SUBJECT: File # VR 02-10 (Great American Development: Cul-de-sac length increase)

Staff and the applicant request that the Planning Commission continue the hearing for the above referenced file to February 10, 2003 (Exhibit 1). The reason for this request is so that Great American Development, Sisul Engineering, and the City may further discuss the design options and alternatives for the project site concerning the proposed cul-de-sac and potential future connections to South End Road.

Staff recommends a continuance of the public hearing for the increased cul-de-sac length variance request (File VR 02-10) to the date certain of February 10, 2003.

SISUL ENGINEERING

A Division of Sisul Enterprises, Inc.

375 PORTLAND AVENUE, GLADSTONE, OREGON 97027

(503) 657-0188

FAX (503) 657-5779

January 17, 2003

Tony Konkol
City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045

RE: VARIANCE REQUEST, CITY FILE VR 02-10 (JO SGL02-062)

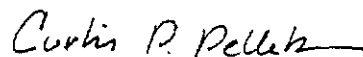
Dear Tony,

Sisul Engineering, on behalf of Great American Development, requests a continuance of the public hearing for the above-mentioned project, VR 02-10. The public hearing, to be held before the Planning Commission, is currently scheduled for Monday, January 27, 2003.

This request for continuance is to allow more time to study South End Road intersection connections, and the effects of future connections to the existing traffic patterns.

If you have any questions regarding this request, please feel free to contact us at any time.

Sincerely,



Curt Pellatz
Sisul Engineering

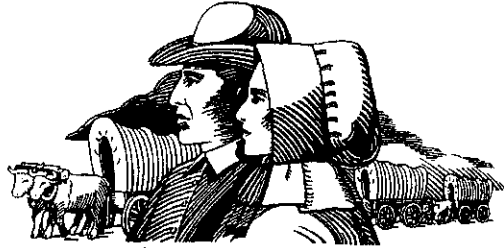
Exhibit 1

CITY OF OREGON CITY

Planning Commission

320 WARNER MILNE ROAD
TEL (503) 657-0891

OREGON CITY, OREGON 97045
FAX (503) 722-3880



FILE NO.: ZC 02-03

APPLICATION TYPE: Type III

Complete: November 18, 2002
120-Day: March 18, 2003

HEARING DATE: January 27, 2003
7:00 p.m., City Hall
320 Warner Milne Road
Oregon City, OR 97045

APPLICANT: Great American Development
Joseph Spaziani
16500 South Forsythe Road
Oregon City, OR 97045

REPRESENTATIVE: Sisul Engineering, Inc.
Tom Sisul
375 Portland Avenue
Gladstone, OR 97027

REQUEST: The applicant is seeking a Zone Change from "R-10" Single-Family Dwelling District to "R-8" Single-Family Dwelling District.

LOCATION: The property is located southwest of Partlow Road and southeast of South End Road and identified on the Clackamas County Tax Assessor Map as 3S-1E-12A, Tax Lot 2300 (Exhibit 1).

REVIEWER: Tony Konkol, Associate Planner

PROCESS: The Planning Commission shall make the decision on all Type III permit applications. Once the Planning Commission makes a decision on the Type III application, that decision is final unless appealed to the City Commission in accordance with Section 17.50.190. If appealed, the City Commission decision is the City's final decision on the Type III application.

RECOMMENDATION: Approval

IF YOU HAVE ANY QUESTIONS ABOUT THIS DECISION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 657-0891.

I. BACKGROUND:

The applicant is requesting a zone change from R-10 Single-Family Dwelling District to R-8 Single Family-Dwelling District for an approximately 8.09-acre vacant parcel located southwest of Partlow Road and southeast of South End Road and is identified on the Clackamas County Tax Assessor Map as 3S-1E-12A, Tax Lot 2300.

The parcel has a Comprehensive Plan designation of "LR" Low Density Residential, which allows the proposed R-8 Single-Family Dwelling District. The applicant has applied for a 31-lot Subdivision (Planning File TP 02-03) with a Variance (Planning File VR 02-10) to increase the maximum cul-desac length by 50 feet. The subdivision site is an "infill" type of development, i.e. all adjacent properties are developed. The project will connect two temporarily terminated streets, Pine Place and Mahogany Drive (Exhibit 2).

II. BASIC FACTS:

1. Location and Current Use

The subject site is located southwest of Partlow Road and southeast of South End Road and is identified on the Clackamas County Tax Assessor Map as 3S-1E-12A, Tax Lot 2300.

The 8.09-acre site is vacant. There is one large oak tree on the site, near the east property boundary and the east termination of Mahogany Drive.

Zoning of the subject site is "R-10" Single-Family Dwelling District and is designated as "LR" Low Density Residential in the City's Comprehensive Plan. The applicant is requesting a Zone Change to "R-8" Single-Family Dwelling District for the property.

2. Surrounding Zoning and Land Uses

The surrounding land uses are single-family residential and the surrounding zoning is R-10 Single-Family, R-8 Single-Family, and property under the jurisdiction of Clackamas County.

Immediately north of the subject site are 5 properties zoned "R-10" Single-Family, 4 of which are located on Longstanding Court and 1 on South End Road. There is an "R-8" Single-Family subdivision (Planning File TP 96-17) identified as Hazel Grove 5, which received a Zone Change from R-10 to R-8 in 1996 (Planning File ZC 96-06). South of the subject site there is 1 property zoned "R-10" Single-Family and an "R-8" Single-Family subdivision (Planning File TP 96-07) identified as Hazel Meadows, which received a Zone Change from R-10 to R-8 in 1996 (Planning File ZC 96-02). Across South End Road, west of the subject site, there is 1 parcel zoned FU-10 and outside the City limits, and 2 parcels zoned "R-10" Single-Family. To the east is an "R-10" Single-Family subdivision identified as Hazel Grove 3.

The site has frontage to the west on South End Road, classified as a minor arterial in the Oregon City Transportation System Plan (TSP). Park Place and Mahogany Drive, both local streets in the adjacent R-8 subdivisions, are stubbed to the property line to the north and the south of the subject site and connect to Filbert Drive, classified as a Neighborhood Collector to the south and Partlow Road, classified as a Collector, to the north (Exhibit 1).

3. Comments

Notice of this proposal was mailed to property owners within three hundred feet of the subject property on November 18, 2002. The proposal was noticed in the Clackamas Review on November 27, 2002. The notice indicated that interested parties may testify at the public hearing or submit written testimony at or prior to the hearing.

Transmittals regarding the proposed development plan were mailed on November 19, 2002 to The Hazel Grove/Westling Farm Neighborhood Association, South End Neighborhood Association, Oregon City

School District, Metro, the Department of Land Conservation and Development, City departments, and residents within 300 feet of the proposed project site. The comments received were incorporated into the analysis and findings sections below.

Comments were received from David Evans and Associates (Exhibit 3), Oregon City School District (Exhibit 9), the South End Neighborhood Association, and surrounding residents. A brief summary of the comments is included and the comments received were incorporated into the analysis and findings sections below.

South End Neighborhood Association has submitted comments opposing the requested Zone Change to R-8 based on the following comments: 1. Existing traffic problems exist on Filbert Lane; 2. There is not a direct access from the proposed subdivision to South End Road; 3. South End Road and Partlow Road need improvements; 4. The current retention pond may not be able to handle extra runoff; 5. High density is not compatible with surrounding uses; 6. The roadways must be thirty-two feet wide; and 7. The current traffic count on Filbert will increase from 600 daily trips to 900 daily trips (Exhibit 4a).

Mr. Randy L. Howell of 19240 Pine Place has submitted comments stating that the City should grant the applicant a variance to allow the proposed street to connect to South End Road. If the variance is not granted the Zone Change should be denied, reducing the number of homes and the impacts on Filbert Drive and Pease Road (Exhibit 4b).

Mr. and Mrs. Fleming of 11795 Mahogany Drive have submitted comments stating that they object to the proposed Zone Change because there is inadequate Police Staff to patrol the area, John McLoughlin Elementary School is overcrowded, and that the increased traffic would be a burden due to the developing traffic problems and road maintenance issues (Exhibit 4c).

Mr. and Mrs. O'Brien of 19364 South Hazelgrove Drive have submitted comments in opposition to the proposed Zone Change since the developer should have known the existing zoning designation and should not be able to change the zoning simply to enable him to sell more lots (Exhibit 4d).

III. DECISION-MAKING CRITERIA:

The relevant criteria for a zone change review and decision are in Chapter 17.68 of the Oregon City Municipal Code (OCMC).

Chapter 17.68, "Changes and Amendments"

(a) 17.68.010 Initiation of the amendment.

A text amendment to this title or the comprehensive plan, or an amendment to the zoning map or the comprehensive plan map, may be initiated by:

A. A resolution request by the commission;

B. An official proposal by the planning commission;

C. An application to the planning division presented on forms and accompanied by information prescribed by the planning commission.

All requests for amendment or change in this title shall be referred to the planning commission. (Ord. 91-1007 §1(part), 1991; prior code §11-12-1)

Finding: The applicant, Great American Development, has submitted a complete application to the planning division, thereby initiating the amendment in accordance with 17.68.010.C. The applicant's application form, exhibit drawings, and narrative information are attached as Exhibits 2 and 5. The application was deemed complete on December 18, 2002.

(b) **17.68.020 Criteria.**

The criteria for a zone change are set forth as follows:

A. The proposal shall be consistent with the goals and policies of the comprehensive plan.

Finding: Consistency with comprehensive plan policies and goals is addressed in Section IV of this staff report.

B. That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed by the zone, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone.

Finding: The applicant states that provisions for water, sewer, and storm drainage have been discussed with the City, and it appears that these public facilities will be made available to the site and will be capable of supporting a single-family subdivision development at the R-8 density of 5.5 housing units per acre. Public water, sanitary sewer, and storm sewer are available from lines in the street stubs. Public water will extend an existing eight-inch line through the property and will connect with a twelve-inch line in South End Road. Public sewer will be provided by sewer lines draining towards Mahogany Drive and South End Road and storm water will be collected in a system of catch basins and directed to an existing storm detention pond located in the vicinity of Mahogany Drive and Filbert Drive south of the site (Exhibit 2).

The Westling Farms/South End Neighborhood Association submitted comments stating: "Flooding/Drainage Concerns: The current retention pond on Filbert Drive needs to be assessed to ensure it's capable of handling extra runoff" (Exhibit 4a).

Staff is performing a preliminary review of the subdivision application, identified as TP 02-03, and if the existing pond is found to be too small to absorb the increased flows, there is available land to expand the existing pond. There are also alternative designs, such as underground storage facilities, that when used independently or in combination with the existing pond, may be used to meet the city's storm water requirements. The applicant is required to demonstrate the ability to meet the City's storm water requirements during the subdivision application review.

The applicant states that a Traffic Analysis Report was prepared by Lancaster Engineering for the subdivision and found no problems with any intersections or traffic movement on the streets around the development through 2017 (Exhibit 6). Traffic increases generally will affect intersections in the vicinity. These intersections have been identified as needing improvements by Oregon City's Transportation System Plan (TSP), however; the proposed zone change will not cause a need for any of the identified improvements, and therefore will not have a significant impact on any of Oregon City's transportation facilities. The proposed connection of existing temporarily terminated streets to the north and south of the subject site will potentially facilitate vehicular and pedestrian movements by completing planned connections (Exhibit 5).

A review of the Traffic Analysis Report submitted by the applicant was performed by David Evans and Associates (Exhibit 3). The review determined that the expected traffic impacts from the proposed zone change from R-10 to R-8, which will add 3-5 homes, are expected to be negligible over a 20-year horizon. The South End/Warner Parrott intersection is expected to experience failing operations in the next couple of years; however, the level of improvements identified in the City's TSP may not be needed, at least initially, to extend the term of adequate operations for this intersection. Staff has determined that the overall impacts on the transportation system, including the proposed interior road designed as a cul-de-sac or connection to South End Road, will meet the City's requirements for a Zone Change.

C. The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district.

Finding: The applicant states that the Traffic Analysis Report (Exhibit 6) finds that a change in zoning to R-8 would not cause a significant impact to adjacent streets or intersections. Filbert Drive was reclassified as a Neighborhood Collector in the Transportation System Plan, which is intended to serve as a major street within residential neighborhoods, collect and distribute traffic from collectors and arterials to locals streets, serve access and local circulation, and in this case, provide connectivity between South End Road and Central Point Road (TSP pg 5-15, Exhibit 7).

Staff has concurred with the applicant's assessment that signal warrants will not be met at the South End/Partlow Road intersection through year 2004 with or without the proposed project. The Warner Parrot/South End intersection meet the PM peak hour warrant today; however, the proposed project does not trigger the need for the improvements identified in the TSP, but proportionally adds to the need (Exhibit 3).

D. Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment. (Ord. 91-1007 §1(part), 1991: prior code §11-12-2)

Finding: The Oregon City Comprehensive Plan was acknowledged by the Land Conservation and Development Commission on April 16, 1982. The Comprehensive Plan implements the statewide planning goals on a local level. The acknowledged Comprehensive Plan includes specific goals and policies that apply to the proposed zone change. Therefore, it is not necessary to address the statewide planning goals in response to this criterion. The Comprehensive Plan goals and policies are addressed in Section IV of this staff report.

17.68.025 Zoning changes for land annexed into the city.

A. Notwithstanding any other section of this chapter, when property is annexed into the city from the city/county dual interest area . . .

B. Applications for these rezonings

Finding: The subject site is within the city limits. This criterion is not applicable.

17.68.030 Public hearing.

A public hearing shall be held pursuant to standards set forth in Chapter 17.50.

A. Quasi-judicial reviews shall be subject to the requirements in Sections 17.50.210 through 17.50.250. (Note: the section numbers cited in the Code are incorrect and should be Sections 17.50.120 through .160.)

B. Legislative reviews shall be subject to the requirements in Section 17.50.260. (Note: the section number cited in the Code is incorrect: it should be 17.50.170.) (Ord. 91-1007 §1(part), 1991: prior code §11-12-3)

Finding: According to Section 17.50.030 of the Code, zone changes and plan amendments are reviewed through a Type IV process. According to Section 17.50.030.D, "Type IV decisions include only quasi-judicial plan amendments and zone changes." Therefore, the requirements of Sections 17.50.120 through .160 apply.

The applicant attended a pre-application conference with City staff on July 16, 2002. The Pre-Application Conference Summary is attached as Exhibit 8. Transmittals regarding the proposed development plan were mailed on November 19, 2002 to The Hazel Grove/Westling Farm Neighborhood Association and the South End Neighborhood Association.

The applicant submitted the application on October 22, 2002. The application was deemed complete on November 18, 2002. The planning division scheduled the first evidentiary hearing, before the Oregon City Planning Commission, for January 27, 2003. The final hearing, should the Planning Commission recommend approval, is scheduled for February 5, 2003 before the Oregon City City Commission. Notice of the hearing was issued on November 27, 2002 and the property was posted on January 7, 2003, more than 20 days prior to the hearing, in accordance with Section 17.50.090(B).

This staff report has been prepared in accordance with 17.50.120.C.

The hearings shall be conducted in accordance with the requirements of Section 17.50.120, and the review and decision in accordance with Sections 17.50.130 through .160.

This standard is met.

17.68.040 Approval by the commission

If the planning commission approves such request or application for an amendment, or change, it shall forward its findings and recommendation to the city commission for action thereon by that body. (Ord. 91-1007 §1(part), 1991: prior code §11-12-4)

Finding: If the Planning Commission approves the applicant's request, the City Commission shall review its findings and recommendations at a public hearing. That public hearing has been scheduled for February 5, 2003.

This standard is met.

17.68.050 Conditions.

In granting a change in zoning classification to any property, the commission may attach such conditions and requirements to the zone change as the commission deems necessary in the public interest, in the nature of, but not limited to those listed in Section 17.56.010:

A. Such conditions and restrictions shall thereafter apply to the zone change;

B. Where such conditions are attached, no zone change shall become effective until the written acceptance of the terms of the zone change ordinance as per Section 17.50-.330. (Ord. 91-1007 §1(part), 1991: prior code §11-12-5)

Finding: Staff has not recommend any Conditions of Approval. This section is not applicable.

17.68.060 Filing of an application

Applications for amendment or change in this title shall be filed with the planning division on forms available at City Hall. At the time of filing an application, the applicant shall pay the sum listed in the fee schedule in Chapter 17.50 (Ord. 91-1007 §1(part), 1991: prior code §11-12-6)

Finding: The applicant has submitted the appropriate application forms and fees. This criterion is met.

IV. Consistency with Comprehensive Plan

The applicable goals and policies of the Comprehensive Plan are addressed in this section.

(B) Citizen Participation

Goal: Provide an active and systematic process for citizen and public agency involvement in the land-use decision-making for Oregon City.

Finding: The City's process includes public notice, public hearings, and notifying neighborhood associations. Public notice was mailed on November 18, 2002 and advertised in the Clackamas Review on November 27, 2002, and the subject property was posted on January 7, 2003.

On November 19, 2002 transmittals were sent to the Citizen Involvement Committee Council (CICC), South End Neighborhood Association, and the Westling Farm/Hazel Grove Neighborhood Association apprising them of the application.

Policy #1

Encourage and promote a city-wide citizen participation program that helps neighborhoods to organize so that they may develop and respond to land-use planning proposals.

Finding: As noted above, the South End and Westling Farm/Hazel Grove Neighborhood Associations and the CICC were notified. Comments from the Neighborhood Association and citizens that have commented on the proposal have been incorporated into this report.

Policy #2

Provide neighborhood groups and citizens with accurate and current information on policies, programs and development proposals that affect their area; institute a feedback mechanism to answer questions from the public.

Finding: The notice, meeting, and public hearings related to the proposal demonstrate consistency with this policy. In addition, this staff report and the file containing project information were available for public review seven days prior to the first evidentiary hearing.

Policy #4

Encourage citizen participation in all functions of government and land-use planning.

Finding: Citizen participation has been encouraged through mailing notice of the proposal and the public hearings, and through posting the project site with notice of the proposal.

(C) Housing

Goal: Provide for the planning, development and preservation of a variety of housing types at a range of price and rents.

Finding: The applicant states the area is designated for a low-density residential use. The R-8 zone permits 5.5 dwellings per acre, or 36 dwellings on the 8.09-acre subject site (assuming 20% of the property is used for public right-of-way). The R-10 zone allows 4.4 dwellings per acre, or 29 dwelling units for the subject site (assuming 20% of the property is used for public right-of-way). Both the R-8 and R-10 zones allow single-family dwellings, with 8,000 or 10,000 square foot minimum lots sizes, respectively. The R-8 zone allows smaller lots that can be expected to provide more affordable housing than the R-10 zone. Also, the requested zone change to R-8 would be similar to the R-8 zoned properties bordering a majority of the site, allowing for a more consistent development pattern with the adjacent properties (Exhibit 5).

The subject site currently is designated low density residential on the Comprehensive planning. Low density residential permits the R-8 zoning designation. The City encourages planning, development, and preservation of a variety of housing types at a range of price and rents. The proposal is consistent with this Goal.

Policy #3

The City shall encourage the private sector in maintaining an adequate supply of single and multiple family housing units. This shall be accomplished by relying primarily on the home building industry and private sector market solutions, supported by the elimination of unnecessary government regulations.

Finding: The R-8 zone allows smaller lots that can be expected to provide more affordable housing than the R-10 zone and the requested zone change to R-8 would be similar to the R-8 zoned properties bordering a majority of the site, allowing for a more consistent development pattern with the adjacent properties. Currently, 15 of the 24 (62.5%) properties and 1,863 linear feet of the 2,897 (64.3%) linear feet of properties abutting the subject property are zoned R-8 Single Family Residential. The proposal is consistent with this policy.

(F) Natural Resources, Natural Hazards

Goal: Preserve and manage our scarce natural resources while building a livable urban environment.

Finding: The vacant subject site is located in an urbanized area. The site is not within a water resources area, and there are no significant natural resources located on the property other than a large oak tree along the northern property line that the applicant is proposing to save. The proposal to rezone the site from R-10 to R-8 would not significantly change the amount of development allowed, only the type. The proposal is consistent with this goal.

Policy #1

Coordinate local activities with regional, state and federal agencies in controlling water and air pollution.

Finding: This policy is not directly applicable to the proposal. Local, regional, state, and federal regulations related to water and air pollution will be addressed when site development is proposed.

Policy #7

Discourage activities that may have a detrimental effect on fish and wildlife.

Finding: The subject site is not within a wildlife habitat area, as identified in the Comprehensive Plan, nor is it located within a water resource area. The subject site is located in an urbanized area and the residential uses allowed in the R-8 zone would not likely discharge pollutants or otherwise have a detrimental effect on fish and wildlife. The proposal is consistent with this policy.

Policy #8

Preserve historic and scenic areas within the City as viewed from points outside the City.

Finding: The site is not within a historic or scenic area and is not situated so as to affect views of such areas from outside the city. The proposal is consistent with this policy.

Policy #9

Preserve the environmental quality of major water resources by requiring site plan review, and/or other appropriate procedures on new developments.

Finding: The proposal will be processed under the appropriate procedures for new development in order to preserve the environmental quality of major water resources. The proposal is consistent with this policy.

Policies adopted through Ordinance 90-1031

Oregon City . . . shall comply with all applicable DEQ air quality standards and regulations.

Finding: Uses allowed in the R-8 district would be expected to comply with DEQ standards and regulations, in compliance with this policy.

All development within the City of Oregon City shall comply with applicable state and federal air, water, solid waste, hazardous waste and noise environmental rules, regulations and standards. Development ordinance regulations shall be consistent with federal and state environmental regulations.

Finding: The proposal will be processed under the appropriate procedures for new development in order to comply with this policy.

(G) Growth and Urbanization

Goal: Preserve and enhance the natural and developed character of Oregon City and its urban growth area.

Finding: The applicant states that land is a scarce resource and must be wisely allocated between uses. One way to wisely use land is to maintain densities at or near the plan designation. The R-8 zone allows 5.5 dwellings per acre while the R-10 zone allows 4.4 dwellings per acre. Actual gross density, owing to the “infill” nature of the site and its long, narrow shape, will be on the order of 3.8 dwelling per acre at the R-8 standard. The greater number of lots translates to the most efficient use of the land, assuming that public services are available and compatibility issues are satisfied (Exhibit 4).

The proposal would add the subject site to the adjacent R-8 district and provide a consistent development pattern with the existing development surrounding the property. Because of its nature, scale, and location, the proposed rezone would preserve the natural and developed character of Oregon City and is, therefore, consistent with this goal.

H. Energy Conservation

Goal: Plan urban land development which encourages public and private efforts toward conservation of energy.

Finding: Rezoning the subject site is consistent with the goal of energy conservation. The site is adjacent to South End Road, which is designated for pedestrian, bicyclist, and transit alternatives. The existing Tri-Met route 79 has service on South End Road. Once the site is developed, residents may take advantage of such alternative forms of transportation, which saves energy over automobiles. Also, the site’s location would allow children to walk to John McLoughlin Elementary School, saving vehicle miles traveled.

I. Community Facilities

Goal: Serve the health, safety, education, welfare and recreational needs of all Oregon City residents through the planning and provision of adequate community facilities.

Finding: The applicant states that urban services are available or can be made available to the site. Police and fire services can be provided; school capacity can be made available and the proposal was deemed as not to conflict with the interests of the Oregon City School District (Exhibit 9). The new housing will contribute to the tax base of Oregon City for public services.

Most of the Community Facilities policies direct the City to conduct certain actions and are not relevant to the proposal. Therefore, they are not addressed individually in this staff report.

Rezoning the property is consistent with the goal and the objectives of its policies because future site development will utilize existing public facilities. Service adequacy will be reviewed through subdivision review prior to site development, and improvements consistent with this goal may be required at that time.

Policy #5

The city will encourage development on vacant buildable land within the City where urban facilities and services are available or can be provided.

Finding: The applicant states that provisions for water, sewer, and storm drainage have been discussed with the City, and it appears that these public facilities will be made available to the site and will be capable of supporting a single-family subdivision development at the R-8 density of 5.5 housing units per acre. Public water, sanitary sewer, and storm sewer are available from lines in the street stubs. Public water will extend an existing eight-inch line through the property and will connect with a twelve-inch line in South End Road. Public sewer will be provided by sewer lines draining towards Mahogany Drive and South End Road and storm water will be collected in a system of catch basins and directed to an existing storm detention pond located in the vicinity of Mahogany Drive and Filbert Drive south of the site (Exhibit 5).

Policy #7

Maximum efficiency for existing urban facilities and services will be reinforced by encouraging development at maximum levels permitted in the Comprehensive Plan and through infill of vacant City land.

Finding: The parcel has a Comprehensive Plan designation of “LR” Low Density Residential, which allows the proposed R-8 Single-Family Dwelling District. The subdivision site is an “infill” type of development, i.e. all adjacent properties are developed. The project will connect two temporarily terminated local streets, Pine Place and Mahogany Drive (Exhibit 2).

(J) Parks and Recreation

Goal: Maintain and enhance the existing park and recreation system while planning for future expansion to meet residential growth.

Finding: The proposal does not affect any existing or planned parks or recreation areas. The proposal is located approximately 250 feet north of the McLoughlin Elementary School.

(L) Transportation

Goal: Improve the systems for movement of people and products in accordance with land use planning, energy conservation, neighborhood groups and appropriate public and private agencies.

Finding: The applicant is proposing to connect two north-south local streets, identified as Pine Place and Mahogany Drive, which will complete the internal transportation system linking Filbert Drive, which is classified as a Neighborhood Collector, and Partlow Road, which is classified as a Collector.

Policy #6

Sidewalks will be of sufficient width to accommodate pedestrian traffic.

Finding: Sidewalks included in future site redevelopment will be constructed to City standards.

Policy #14

The bikeway on South End Road will be extended to South End School as funding becomes available

Finding: South End Road requires striped bike lanes as part of the Oregon City Transportation System Plan – Bicycle System Plan. Bike lanes included in future site development will be constructed to City standards.

(M) Comprehensive Plan Map

Goal: Maintain and review the Comprehensive Plan Map as the official long-range planning guide for land use development of the City by type, density and location.

Finding: The proposal is for a zone change and is not a request to amend the Comprehensive Plan Map designation for the site, which is Low Density and allows the R-8 Single-Family Residential zoning designation.

RECOMMENDED CONCLUSION AND DECISION

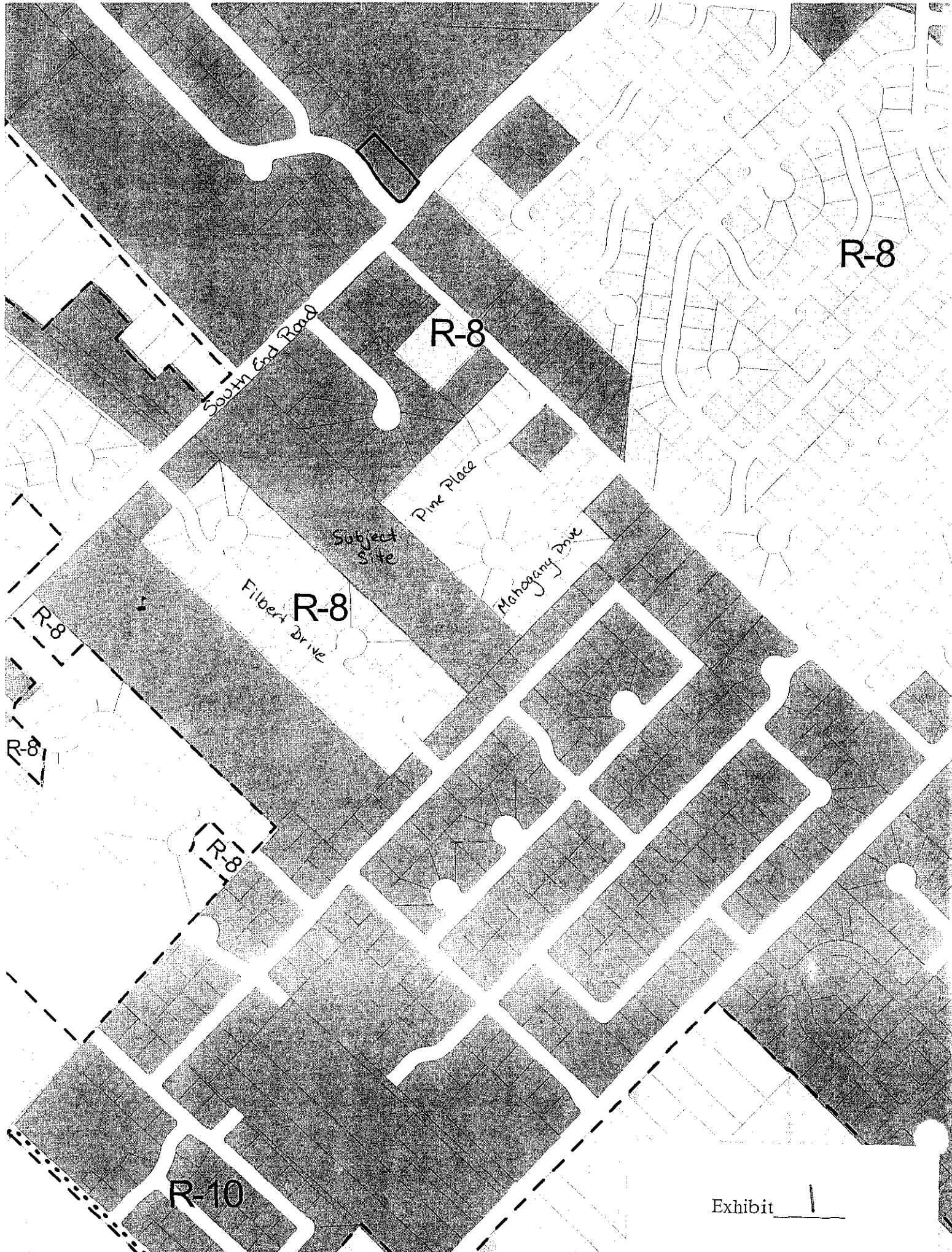
The proposed zone change is consistent with all applicable criteria of the zoning ordinance and Comprehensive Plan.

Staff would recommend that the Planning Commission forward the proposed Zone Change, Planning File ZC 02-03, with a recommendation of approval to the City Commission for a public hearing on February 5, 2003.

EXHIBITS

The following exhibits are attached to this staff report.

1. Vicinity map
2. Site Map
3. David Evans & Associates Traffic Review; dated January 10, 2003
4. a. Westling Farms/South End Neighborhood Association
b. Mr. Howell letter; dated December 8, 2002
c. Mr. and Mrs. Fleming letter; dated December 18, 2002
d. Mr. and Mrs. O'Brien letter; dated December 15, 2002
5. Applicant's Narrative
6. Executive Summary of Applicant's Traffic Impact Study; Prepared by Lancaster Engineering; dated October 2002 (Complete Study On File with the City)
7. Transportation System Plan page 5-15
8. Applicant's Pre-Application meeting
9. Oregon City School District Transmittal



R-8

R-8

R-8

R-8

R-8

R-8

R-10

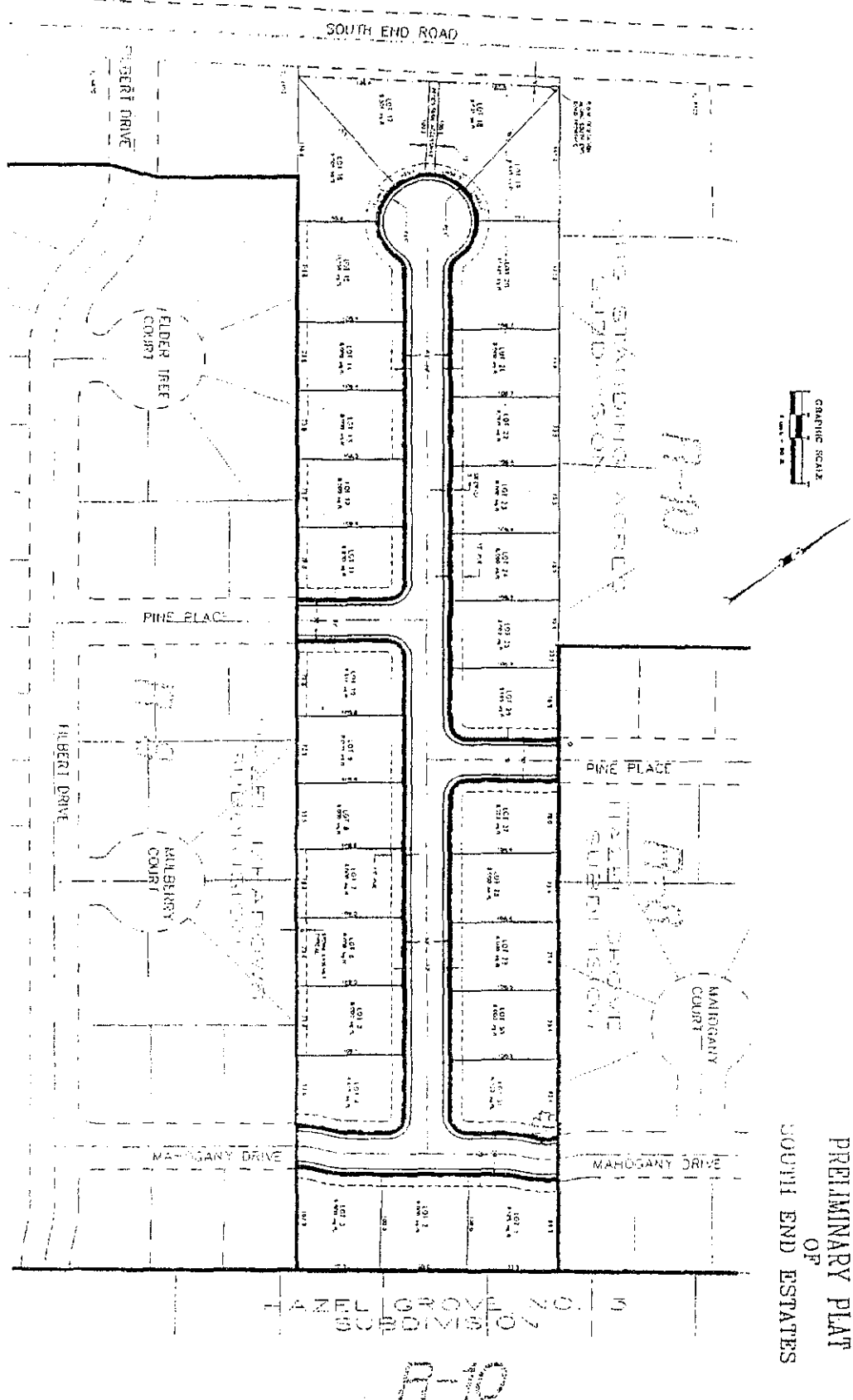
Subject Site

South End Road

Pine Place

Mahogany Drive

Filbert Drive



NOTES:

1. This plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

2. The plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

3. The plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

4. The plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

5. The plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

6. The plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

7. The plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

8. The plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

9. The plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

10. The plat is subject to the provisions of the Oregon Land Use Decree Act, ORS 227.010 to 227.080.

January 10, 2003

Mr. Tony Konkol
City of Oregon City
PO Box 351
Oregon City, OR 97045

**SUBJECT: REVIEW OF TRAFFIC IMPACT STUDY
SPAZIANI ZONE CHANGE & RESIDENTIAL SUBDIVISION – TP 02-03**

Dear Mr. Konkol:

In response to your request, David Evans and Associates, Inc. (DEA) has reviewed the Traffic Impact Study (TIS) and site plan submitted by Lancaster Engineering for the proposed Spaziani Property rezone and residential subdivision development located in Oregon City near the South End Road/Partlow Road intersection. The material is dated October 2002.

The TIS describes the current development proposal to build a 31-unit subdivision of single-family detached homes. To accommodate this number of homes on the site, a rezone from R-10 to R-8 is required and being proposed. Site access will be provided via connections to existing Pine Place and Mahogany Drive. No direct access to South End Road is proposed.

Overall Finding

The applicant's traffic impact analysis generally meets the City's requirements. The proposed development is not expected to result in needed off-site mitigation. The full extent of site improvements attributable to the applicant as part of this project is unclear but discussed herein under site plan review. The applicant has not addressed intersection sight distance and needs to ensure that new roadway intersections to be built through this project meet AASHTO guidelines. The South End/Warner Parrott intersection is expected to experience failing operations in the next couple years. The level of improvement identified in the City's TSP may not be needed, at least initially, to extend the term of adequate operations for this intersection.

Comments

1. *Existing conditions* – The applicant reasonably described the existing transportation system surrounding the proposed project site and appropriately accounted for planned transportation facility improvements identified in the City's TSP. The applicant used appropriate traffic counts as a basis for operations analysis. The applicant did not address existing safety conditions primarily including the study area crash history and should be required to.
2. *Background conditions* – In developing opening year 2004 background traffic levels without the project, the applicant reasonably accounted for in-process traffic associated with other nearby approved developments by applying a 4.5 percent annual growth rate to existing volumes. This rate was based on

comparison of historical study area traffic counts and therefore also accounts for any regional traffic growth in this area of the City.

Although a zone change is being proposed from R-10 to R-8, the expected traffic impacts from an additional 3-5 homes over a 20-year horizon are expected to be negligible. The applicant was therefore not required to analyze future 20-year traffic conditions associated with the rezone decision.

3. ***Trip Generation/Distribution/Assignment*** – The applicant slightly underestimated trip generation levels for the daily, morning peak hour, and evening peak hour weekday periods. For a development this size, the applicant should have applied the linear regression trip generation equations rather than the trip rates for each period from the Institute of Transportation Engineer's (ITE) *Trip Generation Report, 6th ed.* Justification for use of the trip generation equations is provided on pages 9-11 of the 2001 ITE *Trip Generation Handbook*.

The equations result in modest increases in trip generation during all periods analyzed and therefore does not trigger a need to reanalyze traffic operations in my opinion. However, the higher trip levels should be used when establishing systems development charges (SDC). For example, the 296 weekday trips reported by the applicant using average trip generation rates would increase to 353 trips using the ITE trip generation equations. Evening (PM) peak hour trips would increase from 31 to 37.

The applicant used appropriate methods to distribute and assign site-generated trips from the proposed development to the surrounding roadway system.

4. ***Sight Distance*** – The applicant did not discuss intersection sight distance. The applicant needs to ensure that intersection sight distance guidelines provided by AASHTO are met for the new roadway intersections to be built at Pine Place and Mahogany Drive.
5. ***Signal and Left-Turn Lane Warrants*** – I concur with the applicant's assessment that signal warrants will not be met at the South End/Partlow Road intersection through year 2004 with or without the proposed project. I also concur that the Warner Parrot/South End intersection meets the PM peak hour warrant today and is expected to meet Condition A of the eight-hour warrant by year 2004 with or without the proposed project. The City's TSP (project R-70) identifies the need to realign and signalize the offset intersection and provide exclusive left-turn lanes on all approaches. The proposed project does not trigger the need for these improvements, but proportionally adds to the need.
6. ***Traffic Operations*** – The applicant asserts that the Warner Parrott/South End Road intersection operates at level of service (LOS) D today during peak hours and will degrade to LOS E/F during year 2004 background conditions. The applicant's development would add to this poor level of service, although the extent is unclear as they analyzed their project only assuming a signal was installed. With a signal, the intersection is expected to be able to operate at LOS C with or without the project. I concur with the applicant's analysis.

Today and under year 2004 background conditions, three of the four Warner Parrott/South End Road intersection approaches operate at LOS C or better. During the AM peak hour, the northbound approach

operates at LOS F and during the PM peak hour, the southbound approach operates at LOS F. With the addition of a dedicated northbound right-turn lane (not identified in the TSP) and a southbound left-turn lane as identified in the City's TSP, the intersection could operate at LOS C without a signal for some period of time as an interim project. The city may want to consider this.

The South End/Partlow Road intersection is shown to operate at LOS B during AM operations and at the LOS C/D threshold during PM operations today and under year 2004 background conditions. Although the intersection will continue to operate within the City's standards with the proposed project, PM peak hour operations are expected to degrade to LOS D.

7. **Queuing** – The applicant did not report any queuing results for area intersections. A supplemental memorandum containing a queuing summary for the different development scenarios should be provided. The applicant should also submit the technical output from Synchro to allow validation of their findings.
8. **Mitigation** – I concur with the applicant's assertion that this proposed development does not trigger any off-site mitigation beyond site-specific improvements including sidewalks, and traffic control associated with their new roadways and intersections.

The City's TSP identifies significant expected growth along South End Road between S. 2nd Street and Warner Parrott Road. It calls for intersection improvements including a signal with protected/permitted phasing and exclusive left-turn pockets on all approaches. As development occurs, this level of improvement should be reconsidered. Traffic growth along Lawton Road is expected to be small and may not warrant an exclusive left-turn pocket. A roundabout option should also be considered.

9. **Site Plan Review** – The applicant's site plan indicates that sidewalks will be provided on both sides of the new roadways to be built.

A 10-foot pedestrian/bicycle accessway connecting the cul-de-sac to South End Road is identified and will provide an important connection to public transit along South End Road. The accessway should be hard surfaced (asphalt) for bicycle use and illuminated in some fashion intended to improve safe evening use while minimizing distraction to adjacent homes (perhaps 12-foot shoebox lights). Bollards at each end of the path should be installed to prevent use by motor vehicles. Lighted bollards are available and should be considered. The path should be fenced but consideration should be given to whether the fencing should be obscuring (e.g., a board fence) or more open (e.g., cyclone). South End Road is identified to receive bike lanes (TEP project R-5). The connection between these bike lanes and the project proposed pedestrian/bicycle path should be considered.

The site plan calls for a right-of-way dedication along the east side of South End Road. The applicant indicates that South End Road is intended for widening to a three-lane section. I see no reference to this widening in the TSP. Rather, project R-26 from the TSP indicates an intent to construct curb, gutter, and sidewalks along both sides of South End Road from Partlow road to the UGB and project B-5 calls for widening to provide directional 4-6 foot bike lanes from Barker Avenue to the UGB.. The need for this right-of-way dedication should be clarified. If the applicant is responsible for half-street improvements

Mr. Tony Konkol

Page 4

along South End Road, they should be constructed as part of this project. If the City desires to complete the full TSP project at one time, the applicant should fund their portion of the improvements now.

In conclusion, I find that the applicant's traffic impact analysis generally meets the City's requirements. If you have any questions or need any further information concerning this review, please call me at 503.223.6663.

Sincerely,

DAVID EVANS AND ASSOCIATES, INC.

Mike Baker, PE
Senior Transportation Engineer

MJBA:pao

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CITY OF OREGON CITY - PLANNING DIVISION
PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304
Phone: (503) 657-0891 Fax: (503) 722-3880

TRANSMITTAL

November 19, 2002

IN-HOUSE DISTRIBUTION

- ☒ BUILDING OFFICIAL
- ☒ ENGINEERING MANAGER
- ☒ FIRE CHIEF
- ☒ PUBLIC WORKS- OPERATIONS
- ☒ CITY ENGINEER/PUBLIC WORKS DIRECTOR
- ☐ TECHNICAL SERVICES (GIS)
- ☐ PARKS MANAGER
- ☐ ADDRESSING

TRAFFIC ENGINEER

- ☒ Mike Baker @ DEA

MAIL-OUT DISTRIBUTION

- ☒ CICC
- ☒ NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR
- ☒ N.A. LAND USE CHAIR *Westling Farms/Southend*
- ☐ CLACKAMAS COUNTY - Joe Merek
- ☐ CLACKAMAS COUNTY - Bill Spears
- ☐ ODOT - Sonya Kazen
- ☐ ODOT - Gary Hunt
- ☒ SCHOOL DIST 62
- ☐ TRI-MET
- ☐ METRO - Brenda Bernards
- ☐ OREGON CITY POSTMASTER
- ☒ DLCD

RETURN COMMENTS TO:

Tony Konkol
Planning Division

COMMENTS DUE BY: **December 12, 2002**

HEARING DATE: January 27, 2003
HEARING BODY: Staff Review: PC: X CC:

IN REFERENCE TO

FILE # & TYPE:

TP 02-03: Staff Review

VR 02-10: PC Hearing 1/27/03

ZC 02-03: PC Hearing 1/27/03

PLANNER:

Tony Konkol, Associate Planner

APPLICANT:

Joseph Spaziani/Curt Pellatz

REQUEST:

Zone change from R-10 to R-8, Variance to increase cul-de-sac length to 400 feet, and a 31-lot subdivision.

LOCATION:

Map # 3S-2E-12A, Tax Lot 2300.

The application material was referred to you during the Completeness Review for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and will insure prompt consideration of your recommendations. Please check the appropriate spaces below.

_____ The proposal does not
conflict with our interests.

 X The proposal conflicts with our interests for
the reasons stated below. *See below*

_____ The proposal would not conflict our
interests if the changes noted below
are included.

_____ The following items are missing and are
needed for completeness and review:

Signed
Title

Kathy Hogan
Land Use person

PLEASE RETURN YOUR COPY OF THE APPLICATION AND M

Exhibit 4a

RECEIVED
CITY OF OREGON CITY
DEC - 9 AM 10:04

Great American Development
File Number: TP 02-03, ZC 02-03, VR 02-10
Great American Development]
Joseph Spaziani

Rebuttal to Limited Land Use Applications

1. File Number ZC 02-03: The Developer is seeking a zone change from R-10 Single Family Residential to R-8 Single Family Residential. We are opposed to any zone changes
2. File Number TP 02-03: The Developer is seeking approval of a 31-lot subdivision zoned R-8 Single Family Dwelling District.
3. File Number VR 02-10: The Developer is requesting a variance to increase the standard cul de sac length from 350 feet to 400 feet.

The residents of Westling Farm-Hazel Grove and Hazel Meadow subdivisions are opposed to the zone changes because this proposal conflicts with our interests for the reasons below:

- Keep zoning as R-10 because of traffic problems. Traffic problems already exist on Filbert Drive, as the residents have asked Oregon City to install speed humps.
- There is no direct inlet/outlet onto South End Rd. in the current design. This means the majority of traffic for the 31 homes will come down Filbert Drive. The residents of Filbert Drive will not tolerate any increased traffic. Therefore, the design must be changed and the cul de sac either moved to be located adjacent to Mahogany Drive or do not allow a cul de sac for this development. *+ have access to S End Rd*
- Road improvement are needed for South End Rd and S. Partlow roads to handle increased traffic from the numerous new developments in the area. Traffic problems on South End Rd are now an everyday occurrence.
- Flooding/Drainage Concerns: The current retention pond on Filbert Drive needs to be assessed to ensure it's capable of handling extra runoff.
- High density is not compatible with surround area. The surrounding neighborhoods are zoned R-10. The only exception is Hazel Meadows, which is, zoned R - 8. Therefore, this development must remain R-10 to be compatible with the surrounding area.
- The road must be 32' curb to curb to allow fire access.
- **CURRENT TRAFFIC COUNT ON FILBERT DR. IS OVER 600 DAILY TRIPS, IT WILL BE PUSHED TO OVER 900 BECAUSE OF THE DEVELOPER**

Thank you for your consideration,

James Medford
Mark [illegible]

Peggy Luckman
[illegible]

Edwin Luckman

Scott [illegible]

Tim Mitchell

William H. Weber

My Militante

David M. Caspary

Ronald D. Haslin

Chuck Tork

Bruce Tank

Minutes for South End Neighborhood Association Meeting + Hazel Grove
Nov. 21, 2002
Westling Farm NA

Meeting opened. Members present is attached.

Tony Konkol from the City of Oregon City Planning Department spoke on the Urban Growth Boundary and then answered questions. Discussion of Rose Road mentioned that Rose Road had a pre-application but no application. They cannot have apartments there, only 3 housing units for one lot.

The membership voted to have a moratorium on building on South End Road until improvements are made. Marilyn Nuttall made the motion. Madalin Bohlander 2nd the motion,. It passed.

X There was discussion of the subdivision across from Rose Road called South End Estate.
X The following were the neighborhood comments.

- Keep zoning R-10 because of traffic problems and flooding in the area. Improvements need to be made on South End and Partlow Roads.
- The road should be 32' curb to curb for fire access.
- There are already traffic problems on Filbert.
- There are no parks close by.
- Drainage concerns, would like to know about retention pond.
- Would like clarification on storm water area.

There was a discussion of traffic problems on South End Road.

Hazel Grove/Westling Farm Neighborhood Association boundaries have been extended to Mc Cord, Partlow, South on South End and Central Point Road.

Comments on Walmart are listed below.

- People were worried about too much traffic on Mollalla especially after all the changes for a Boulevard.
- Citizens do not feel it would add to the jobs. They feel it would take away from existing businesses that are friendly.
- Worried about Newell Creek Canyon sliding.
- Detriment to current economy.
- Traffic impact on Mollalla Ave., Beaver Creek Road, Highway 213 and it would bring traffic up the already crowded Highway 99.
- It doesn't seem to be compatible with the surrounding area.

When asked if the neighborhood had any positive comments. None were given.

Comments on Rose Road construction.

- Water resource problems.
- Traffic Impact and Transportation problems.
- Rose Road is a private road, construction would impact existing neighborhood, development is having a negative impact on existing properties on Rose Road.
- Developers only have to improve ½ of the road.
- People living there have to bring Rose Road up to code.
- Economic impact.
- High density is not compatible with surrounding area.
- Not fair to use road as main road when it is private.

Comments on Urban Growth Boundary.

- Should not have commercial on South End Road. Traffic problems already exist for cars. This would also bring commercial trucks.
- Commercial traffic would need to go on streets that are not built to support heavy traffic. Example: South End Road has sliding problems. The county already does not have funds to fix the problem.
- Power line areas limit the growth already.

The neighborhood voted to write a letter to Tri-Met asking that the new signs have letter a minimum of 2 inches high to let people know which side of the street to stand on. Jim Colson made the motion. Mary Smith 2nd it. The motion passed.

Ideas for the next meeting included having the new mayor speak or more on education.

CPO is meeting on Central Point Road. At 7:00 p.m. Wed. Dec. 4 at John Mc Laughlin School.

A motion was made to adjourn the meeting by Mary Smith. Russ Nuttall 2nd the motion.

Minutes submitted by Kathy Robertson.

DATE: 11/21/02

EVENT: Haygrove/Westling Farm NA + South End A

#	NAMES(S):	ADDRESS:			PHONE #(S):
1	Dave & Mae Koch	STREET: 19378 Vincent Dr.	CITY: Oregon City	ZIP: 97045	HOME: 503-657-6790 WORK:
2	Russ & Marilyn Nuttall	STREET: 19388 Vincent Dr.	CITY: Oregon City	ZIP: 97045	HOME: 503-657-7058 WORK:
3	BRUNO & DORIS AMATTER	STREET: 1230 MAORONA DR.	CITY: O.C.	ZIP: 97045	HOME: 503-656-4062 WORK:
4	John Klucken	STREET: 1182 South End Rd.	CITY: Oregon City	ZIP: 97045	HOME: 503-650-2695 WORK: 503-557-4327
5	JIM KOSEL	STREET: 11466 FINNEGANIS WY	CITY: O.C.	ZIP: 97045	HOME: 651-5860 WORK:
6	Tony Kahl	STREET:	CITY:	ZIP:	HOME: WORK:
7	Don Choate	STREET: 130 Glace St	CITY:	ZIP:	HOME: WORK:
8	M. Jeanne Milliken	STREET: PO Box 601	CITY: OC	ZIP: 97045	HOME: WORK: 503-494-0070

DATE: 11/21/02

EVENT: H9/WFNA & SENA

#	NAMES(S):	ADDRESS:			PHONE #(S):
1	Kathy Hogan	STREET: 19721 S Central Perdue Ave City	CITY: 97045	ZIP: 97045	HOME: WORK:
2	Kathy Robertson	STREET: 210 Elmer Dr. Oregon City OR	CITY: 97045	ZIP: 97045	HOME: WORK:
3	YORIS MARSHALL & HILLA	STREET: 11464 S. SHELBY ROSE	CITY: OC	ZIP: 97045	HOME: 503 723 7321 WORK:
4	Mary Smith	STREET: 191 Warner Parrott Rd	CITY: OC	ZIP: 97045	HOME: 503-655-7946 WORK:
5	Madalin Bohlander Earl "	STREET: 18783 Cathy Adams	CITY: OC	ZIP: 97045	HOME: WORK:
6	Roxanne Reimer	STREET: 11895 Hartwood	CITY: O.C	ZIP: 97045	HOME: 503-722-9751 WORK:
7	Marti Westbrook	STREET: 19465 WESTLING DR	CITY: O.C.	ZIP: 97045	HOME: 503 557-8414 WORK:
8	Judy Schraden	STREET: SA -	CITY: SA	ZIP: SA	HOME: SA - WORK:

Randy L. Howell
19240 Pine Pl
Oregon City, OR 97045
503-557-2219

December 8, 2002

Oregon City Planning Commission
320 Warner Milne Rd
Oregon City, OR 97045

Dear Planning Commissioners:

I am writing to you in regards to a Notice of Limited Use Application for the proposed development called the South End Estates file number TP 02-03.

For the record, I am not against a development being created at Tax Lot 2300. However, I am against the proposed entry and exit of the new home owners that will be living there. As the site plan presently stands, there will only be two ways to enter South End Estates. One neighborhood road will be Pine Place and the other neighborhood road will be Mahogany Drive. Filbert Drive is the only access road on the south side of the proposed development that ties into Pine Place and Mahogany Drive.

Recently, neighbors of our development that use Filbert Drive to gain access to our properties (not like others that just use it as way to tie onto South End Road) had a meeting to discuss concerns about the speed and the amount of traffic using this road. When the new 90 home Hazel Creek Farm Subdivision is complete on Central Point, Filbert Drive will be extremely active due to those home owners trying to gain access to South End Road and taking their children to John McLoughlin elementary school. With the edition of South End Estates, traffic will also be forced to come down Filbert Drive or Partlow Road for access creating even more traffic congestion.

I would suggest that a variance be given allowing a road to be built onto South End Road directly from the proposed development. As I understand, there is city code that does not allow access onto a main arterial if there are other roads within 500 feet of the developing land. A variance would allow the new homeowners direct access to their homes allowing them to use other surface streets as a secondary choice not the only choice. When this variance is given, file number VR 02-10 is not needed and should be denied.

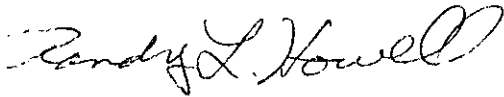
If a variance for direct access from South End Road is denied, then file number ZC 02-03 should be denied. The lots need to stay at 10,000 square feet. When

there are fewer homes being built there will be a lower number of vehicles traveling the side streets.

In summary, please create a variance for direct access from South End Road into South End Estates. If this variance is denied then deny ZC 02-03 and leave the lots as they were originally drafted at 10,000 square foot minimizing some of the traffic.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Randy L. Howell". The signature is fluid and includes a large, stylized loop at the end of the last name.

Randy L. Howell

December 18, 2002

Oregon City Planning Division
Oregon City Hall
320 Warner Milne Road
Oregon City, Oregon 97045

Dear Planning Manager,

We sincerely ask that you consider our request. We object to the request of: Great American Development to change the zoning of Tax Lot 2300 to R-8 Single-Family status. We request that you **DECLINE** them this change and keep the zoning R-10 Single-Family. Please consider these urgent reasons for our point:

- 1) In our opinion, we don't have adequate Police Staff to police the area. Until we do have enough officers, it would be unwise to change zoning to add more homes.
- 2) John McLoughlin Elementary School is experiencing overcrowding. Until our school funding problem is remedied it would be unwise and cruel to the teachers and students who attend to take actions to add to their overcrowding problem.
- 3) The increased traffic in our neighborhood and surrounding area would be a burden due to the developing traffic problems and road maintenance issues that the city and county are trying to keep up with.

We voted to pass the Police and School measures on the ballot this Fall 2002. We were very concerned that the citizens in Oregon City were unwilling to pay for these needed services. Let's not add more burdens to the needs of the community by overdeveloping areas which are zoned appropriately. Keeping Tax Lot 2300 an R-10 Single-Family status would signal to my family and neighbors that Oregon City cares about how the development of our area affects our Police, Schools, and roadways. Let's think to the future and make good decisions that keep this area demographically stable. Thank you so much for hearing our concerns!

Sincerely,

Mr. and Mrs. Mark Fleming

Mr. And Mrs. Mark Fleming
11795 Mahogany Court
Oregon City, OR 97045

02 DEC 18 AM 11:06
RECEIVED
CITY OF OREGON CITY

Exhibit 4c

December 15, 2002

Tony Konkol
Oregon City Planning Division
320 Warner Milne Road
Oregon City, OR 97045

Dear Mr. Konkol

I am writing in reference to the land use applications filed by Great American Development under the following file numbers:

TP 02-03
ZC 02-03
VR 02-10

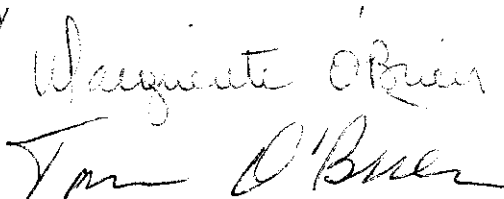
After careful review of the requests by Great American Development, I would like to register the following comments for inclusion in the staff report regarding these matters.

Reference VR 02-10, I have no objection to this request.

Reference ZC 02-03 and TP 02-03, I strenuously object to a change in zoning from R-10 to R-8. The property owner, particularly as he is a developer, should have been aware of the R-10 designation for this parcel of property prior to the time he purchased the property. We as neighbors should not be required to live with higher density simply to enable him to sell more lots. The developer should have no problem using the space to develop the 23 lots that will fit on the property with its current R-10 designation. If he develops within the current R-10 zoning there will be no need to approve either.

We checked the zoning density of properties near ours at the time we purchased our home. Had the property involved in this land use application, been designated R-8 at that time we would not have purchased a home in Oregon City.

Sincerely

The block contains two handwritten signatures in dark ink. The top signature is 'Marguerite O'Brien' and the bottom signature is 'Tom O'Brien'. Both are written in a cursive, flowing style.

Tom and Marguerite O'Brien
19364 S. Hazelgrove Drive
Oregon City, OR 97045-6945

Exhibit 4d

Application for Zone Change

Applicant	Great American Development 16500 S. Forsythe Road Oregon City, OR 97045 (503) 655-6494
Representative	Sisul Engineering, Inc. 375 Portland Avenue Gladstone, OR 97027 (503) 657-0188 Contact: Tom Sisul
Location	Southwest of Partlow Road, southeast of South End Road.
Legal Description	Tax Lot 2300, Map 3 1E 12A
Comprehensive Plan	Low Density Residential
Zoning	R-10 Proposed R-8
Site Size	8.09 Acres
Proposal	Zone change to R-8

Site Description

The site is located in the southeastern part of Oregon City, southwest of Partlow Road and southeast of South End Road, with frontage on South End Road.

The site is vacant. There is one large oak tree on the site, near the east property boundary and the east termination of Mahogany Drive (please refer to the "Existing Conditions" map, Sheet 2). Pine Place and Mahogany Drive both temporarily terminate at the site's east and west boundaries.

South End Road is classified as a minor arterial; both Pine Place and Mahogany Drive are considered local streets.

The site is nearly flat, with very slight slope from north to south. Grades are generally less than 6%.

Adjacent properties are occupied by single-family residences on lots in subdivisions developed to R-8 standards. Land on the south (south of Mahogany Drive) and north and northwest (vicinity of South End Road) is developed with subdivisions in R-10 zoning.

Proposal

The applicant requests a zone change to R-8 Single Family Dwelling District and proposes to create a 31-lot subdivision (submitted as a separate application). The proposed change is consistent with the Comprehensive Plan designation (low density residential) and would allow development of the site with lot sizes similar to those in adjacent subdivisions.

The zone change satisfies all policies and requirements of the City's Codes, as described in the following narrative.

Applicable Criteria and Standards

Applicable criteria and standards of the Oregon City Development Code are found in Title 17 Zoning.

Chapter 17.68 Zoning Changes and Amendments

17.68.010 Initiation of the amendment - This section authorizes the planning commission to consider a request for zone change.

17.68.020 Criteria - This section sets for the criteria for a zone change:

A. The proposal shall be consistent with the goals and policies of the comprehensive plan.

Response: The site is in an area designated for single family residential development by Oregon City's Comprehensive Plan.

The Comprehensive Plan requires that an adequate supply of land be available for projected housing needs and that the private sector be encouraged to maintain an adequate housing supply. An adequate supply of land is best maintained by wisely using the land that is available, increasing densities when physical constraints do not pose hazards to

future residents. Urbanization policies call for extension of services along with the development of land and the best use of land within the Urban Growth Boundary.

This request for zone change supports the housing, urbanization, and public facilities goals as listed in the Comprehensive Plan, by making available for residential development a property which has public services available and which is immediately adjacent to existing, urban type development. Urban services are available and capable of supporting uses allowed in the R-8 zone.

The following specific comprehensive plan policies are applicable:

Housing Element - This City's intention is to provide for a variety of housing types at a range of prices and rents, by encouraging the private sector to maintain an adequate supply of single and multiple family housing.

Comment: The area is designated for low density residential use. The R-8 zone permits 5.5 dwellings per gross acre, or 44 dwellings allowable on the 8.09 acre site. The R-10 zone allows 4.4 dwellings per gross acre, or 36 dwellings for 8.09 acres. Both the R-8 and R-10 zones allow single family dwellings, with 8,000 or 10,000 square foot lot minimum, respectively.

The R-8 zone allows smaller lots than the R-10 zone, and therefore could be expected to provide more affordable housing.

The R-8 zone, with 8,000 square foot lots, would be similar to the R-8 zoned properties bordering most of the site. An R-8 designation would allow development to be more consistent with adjacent developments.

Either designation would be consistent with the Comprehensive Plan designation of low density residential and with the Housing Element, which calls for a variety of housing types to be allowed in the City.

Growth & Urbanization Element - The City's intention is to manage scarce natural resources while building a livable urban environment and to provide for an orderly and efficient transition from rural to urban land use.

Comment: Land is a scarce resource and must be wisely allocated between uses. One way to wisely use land is to maintain densities at or near the plan designation. The R-8 zone allows 5.5 dwellings per gross acre while the R-10 zone allows 4.4 dwellings per gross acre. Actual gross density, owing to the "infill" nature of the site and its long, narrow shape, will be on the order of 3.8 dwellings per acre. The greater number of lots translates to most efficient use of the land, assuming that public services are available and compatibility issues are satisfied. However as noted, the density allowed by the R-10 designation cannot be achieved, owing to dimensional requirements that cannot be satisfied on the long, narrow site.

The R-8 zone would allow lots similar in size and arrangement to adjacent developments.

Public services are available, or can be made available, to the site for either the R-8 or R-10 density. Sewer, water, and storm water lines, and public streets are available at the site's boundaries and have been planned to accommodate development of the site. Therefore, the timing is appropriate for the land to be considered for development now.

Community Facilities Element - The City's goal is to encourage development on vacant buildable land within the city where urban facilities and services are available or can be provided and to encourage densities at maximum levels permitted.

Comment: Urban services are available or can be made available to the site. Police and fire services can be provided; school capacity can be made available.

Public water, sanitary sewer, and storm sewer are available from lines in the street stubs. Public water will extend an existing eight inch line through the property and will connect with a twelve inch line in South End Road.

Public sewer will be provided by gravity sewer lines draining towards Mahogany Drive and South End Road.

Storm water will be collected in a system of catch basins and directed to an existing storm detention pond located in the vicinity of Mahogany drive and Filbert drive (south of the site). This pond will be reconstructed as necessary to comply with current standards. Please refer to the preliminary "Utility Plan" (Sheet 3).

Proposed density is 5.5 per gross acre for the R-8 zone; actual density for the proposed subdivision will be 3.8 per gross acre. There is no physical constraint, such as flood plain or unstable soils that limits development of the site at this density, which would allow for the optimum utilization of the public facilities that will be installed for any future subdivision and to support public investments in utility facilities.

Therefore, this discussion of plan policies demonstrates that the proposal complies with Oregon City's Comprehensive Plan.

B. That public facilities and services... are presently capable of supporting the uses allowed by the zone, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone.

Response: The applicant has discussed provision of water, sewer, and storm drainage with the City and, based on those discussions and analysis of the project engineer, it appears that these public facilities will be made available to the site and will be capable of supporting a single family subdivision at the R-8 density.

Public water, sanitary sewer, and storm sewer are available from lines in the street stubs. Public water will extend an existing eight inch line through the property and will connect with a twelve inch line in South End Road.

Public sewer will be provided by sewer lines draining towards Mahogany Drive and South End Road.

Storm water will be collected in a system of catch basins and directed to an existing storm detention pond located in the vicinity of Mahogany Drive and Filbert Drive (south of the site). This pond will be reconstructed as necessary to comply with current standards. Please refer to the preliminary "Utility Plan" (Sheet 3).

A Traffic Analysis Report was prepared by Lancaster Engineering for the subdivision proposal. It finds no problems with any intersections or traffic movement on streets around the development through 2017. However, traffic increases generally will affect intersections in the vicinity. These intersections have been identified as needing

improvements by Oregon City's Transportation System Plan. The proposed zone change will not cause a need for any of the identified improvements, and therefore will not have a significant impact on any of Oregon City's transportation facilities. The proposed connection of existing temporarily terminated streets will potentially facilitate vehicle and pedestrian movements by completing planned connections in this part of the community.

Therefore, this criterion is satisfied because public facilities and services are available, or can be made available, to serve the site for the R-8 zoning designation. In addition, development to the highest reasonable density makes most efficient use of the public investment in providing services for the area.

C. The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district.

Response: The Traffic Analysis Report finds that a change in zoning to R-8 would not cause a significant impact to adjacent streets or intersections.

Therefore, this criterion is satisfied because the change to R-8 zoning has almost no impact on the overall transportation system.

D. Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.

Response: No statewide goals apply to this proposed zoning change.

17.68.025 Zoning changes for land annexed into the city - An annexation is not involved with this application; this section does not apply.

Conclusion

The foregoing narrative describes the proposed zone change and land division with variance. The narrative and plans demonstrate that the proposal is generally in conformance with applicable criteria and standards identified in the Community Development Code. Therefore, the application should be approved as submitted.



EXECUTIVE SUMMARY

1. A zone change from R-10 to R-8 has been proposed for a site on the southeast side of South End Road between Partlow Road and Filbert Drive in Oregon City. Following the zone change, a single-family residential subdivision is planned with approximately 31 homes. The subdivision will connect four existing street stubs and will not have direct access to South End Road.
2. The proposed development is expected to generate approximately 23 trips during the morning peak hour, with 6 entering the site and 17 exiting. The evening peak hour is expected to in 31 total trips, with 20 entering and 11 exiting. The estimated daily traffic volume is 296 trips, with half entering and half exiting the site.
3. The intersection of South End Road and Warner Parrott Road is currently operating at an acceptable level of service, although if traffic volumes continue to increase at the same rate they have in recent years, the operation of the intersection will degrade significantly in the near future. The Oregon City TSP identifies a future need for realignment and signalization at the intersection. This improvement is listed as a long term project (6-20 years), but may be needed much sooner to avoid a failing level of service at the intersection.
4. The intersection of Partlow Road and South End Road is currently operating at favorable levels of service and will continue to operate favorably for all scenarios examined. The TSP identifies the need to realign the offset of Partlow Road and Oaktree Avenue within the next five years. When this realignment project is built, left-turn lanes should be constructed on South End Road in both directions. A southbound left-turn lane is warranted by existing evening peak hour traffic volumes.
5. The proposed residential subdivision will not trigger the need for any of the improvements discussed above. The development will be required to pay system development charges for transportation, which should be directed to necessary improvements such as those identified here.

Roadway Segment	1989 Classification	Reclassification	Reasoning
Hilda Street/Alden Street/Barclay Hills Drive: Molalla Avenue to the end of Barclay Hills Drive	Local Street	Neighborhood Collector	Alignment currently serves the developing neighborhoods north of the Mountain View Cemetery and east of Molalla Avenue (major arterial); a traffic signal currently exists at the Molalla Avenue/Hilda Street-Holmes Lane intersection making this connection to Molalla Avenue more attractive to motorists than the unsignalized Barclay Hills Drive access.
Barker Avenue/Charman Street: South End Road to Linn Avenue	Local Street	Neighborhood Collector	Corridor serves to provide a reasonably direct neighborhood connection to South End Road
Filbert Drive/Salmonberry Drive – Skellenger Way	Local Street	Neighborhood Collector	Provides connectivity between South End Road and Central Point Road.
Frontier Parkway	Local Street	Neighborhood Collector	Provides connectivity between Meyers Road and Leland Road.

The proposed new connections are separated into two categories: those recommended to accommodate growth and new development, and those recommended as enhancements to the connectivity and operations of the existing roadway network. Table 5-4 outlines the new roadway connections based on these two categories.

The need for each of the facilities identified in Figure 5-1 and Table 5-4 will be driven, in large measure, by future development within the City's Urban Growth Boundary. Where the identified future connections are located outside of the Urban Growth Boundary, improvements will comply with state requirements set forth in OAR 660-012-0065 and 0070 (requirements pertaining to transportation improvements on rural land).

Again, it should be stressed that the location of the potential new roadways shown on Figure 5-1 is only an approximate representation of the recommended connection and that the actual roadway alignment will be determined based on identified constraints and specific development plans for the individual areas.

In addition to the roadway connections identified above, the City is preparing a Conceptual New Street Plan Map that will provide guidance to the City, land owners, and developers on desired street connections that will improve local access and circulation, and preserve the integrity of the regional street system. The map will be prepared for contiguous areas of vacant and redevelopable parcels of five or more acres within Oregon City. This map will be prepared to comply with the Design Standards for Street Connectivity presented in the Metro Regional Transportation Plan (RTP). The map and code language to ensure development compliance will be adopted by the City in the spring or early summer 2001 (RTP compliance deadline in August 2001).

Exhibit 7

CITY OF OREGON CITY

PRE-APPLICATION CONFERENCE SUMMARY

Pre-application conferences are required by Section 17.50.030 of the City Code, as follows:

- (A) PURPOSE: The pre-application conference is to provide the applicant the necessary information to make an informed decision regarding their land use proposal.
- (B) A pre-application conference is required for all land use permits.
- (C) Time Limit: A pre-application conference is valid for a period of six (6) months.
- (D) An omission or failure by the Planning Division to provide an applicant with relevant information during a pre-application discussion shall not constitute a waiver of any standard, criterion, or requirement of the City of Oregon City. Information given in the conference is subject available information and may be subject to change without notice. *NOTE: The subsequent application may be submitted to any member of the Planning Staff.*

PRE-APP # 02-37 / DATE: 7-16-02
APPLICANT: Grant American / Tom Sisu
SITE ADDRESS: 312 KA TL 2500 (South End Road)
PROPERTY DESCRIPTION: _____
STAFF: Devin Doherty, Christina Roberts ZONING: R-10
PROPOSED USE/ACTIVITY: TP/2C

INFORMATION NECESSARY TO BEGIN DEVELOPMENT: This listing of information does not preclude the Community Development Department or hearings body from requesting additional data necessary to make a recommendation and/or decision regarding the proposed activity.

1. PLANNING

- ☐ Zoning/ Setbacks R-10
- ☐ Is the Site in a Water Resource Overlay District? (Yes or No) _____
- ☐ Is the Site in a Historic Overlay District? (Yes or No) NO
- ☐ List of Minimum Required Planning Processes:

1. Subdivision

- ☐ OCMC 17.50 – Administrative Processes
- ☐ OCMC 16.08 – Subdivision – Process and Standards
- ☐ OCMC 16.12 – Minimum Improvements and Design Standards for Land Divisions

2. Zone Change - OCMC 17.68

Other: _____

2. ENGINEERING

- GRADING & EROSION CONTROL
- A. Grading: PER CITY STANDARDS
- B. Drainage: improve existing storm detention / upgrade - DETENTION & WATER QUALITY
- C. Sanitary Sewer: EXTEND EXISTING GRAVITY SEWER THROUGH SITE
- D. Water: COUP WATER IN P.D. WALKWAY - no deadend
- E. Right-of-Way Dedication/Easements: 50 R/W ST. EXTENSION, 53 NEW MIDWAY ST.
- F. Street Improvements (including continuation of existing streets within 10' DED. ALONG SOUTHEAST subdivisions): SW, ST. TREES, ST LIGHTS, PAVEMENT + BASE, PLANTER STRIP, TSP.
- G. Special Analysis (traffic study, geotechnical study, EIS): 1/2 ST. IMP ON SITE
- H. Development Impact Statement required with Subdivision applications.
- I. TSP compliance (Connectivity, Street Widths, etc.): 32' LOCAL ST. PAV. WIDTH
- Other: _____

3. BUILDING

- A. Proposed Construction Type: _____
- B. Number of Stories: _____
- C. Square Footage: _____
- D. Number of Buildings: _____
- E. Type of Occupancy: _____
- F. Fire Sprinklers: _____
- G. Valuation (estimate): \$ _____
- H. Fire/Life Safety Required: Yes _____ No _____

4. FIRE

- A. Fire Flow Requirements (gallons per minute): _____
- B. Location/Number of Hydrants: _____
- C. Access Requirements: _____
- D. Other: _____

OTHER COMMENTS:

NOTICE TO APPLICANT: A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required.

RECEIVED 00SD

CITY OF OREGON CITY - PLANNING DIVISION

PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

NOV 20 2002

Phone: (503) 657-0891 Fax: (503) 722-3880

RECEIVED

BUSINESS DEPT.

TRANSMITTAL

November 19, 2002

NOV 20 2002

IN-HOUSE DISTRIBUTION

- ☒ BUILDING OFFICIAL
- ☒ ENGINEERING MANAGER
- ☒ FIRE CHIEF
- ☒ PUBLIC WORKS- OPERATIONS
- ☒ CITY ENGINEER/PUBLIC WORKS DIRECTOR
- ☐ TECHNICAL SERVICES (GIS)
- ☐ PARKS MANAGER
- ☐ ADDRESSING

TRAFFIC ENGINEER

- ☒ Mike Baker @ DEA

MAIL-OUT DISTRIBUTION OREGON CITY SCHOOLS

- ☒ CICC
- ☒ NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR
- ☒ N.A. LAND USE CHAIR *Westling Farms/Southend*
- ☐ CLACKAMAS COUNTY - Joe Merek
- ☐ CLACKAMAS COUNTY - Bill Spears
- ☐ ODOT - Sonya Kazen
- ☐ ODOT - Gary Hunt
- ☒ SCHOOL DIST 62
- ☐ TRI-MET
- ☐ METRO - Brenda Bernards
- ☐ OREGON CITY POSTMASTER
- ☒ DLCD

RETURN COMMENTS TO:

COMMENTS DUE BY: December 12, 2002

Tony Konkol
Planning Division

HEARING DATE: January 27, 2003
HEARING BODY: Staff Review: ___ PC: X CC: ___

IN REFERENCE TO

FILE # & TYPE:

TP 02-03: Staff Review
VR 02-10: PC Hearing 1/27/03
ZC 02-03: PC Hearing 1/27/03
Tony Konkol, Associate Planner
Joseph Spaziani/Curt Pellatz
Zone change from R-10 to R-8, Variance to increase cul-de-sac length to 400 feet, and a 31-lot subdivision.
Map # 3S-2E-12A, Tax Lot 2300.

PLANNER:
APPLICANT:
REQUEST:

LOCATION:

The application material was referred to you during the Completeness Review for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and will insure prompt consideration of your recommendations. Please check the appropriate spaces below.

X

The proposal does not
conflict with our interests.

_____ The proposal conflicts with our interests for
the reasons stated below.

The proposal would not conflict our
interests if the changes noted below
are included.

_____ The following items are missing and are
needed for completeness and review:

Signed
Title

Ken Baker

Business Manager

PLEASE RETURN YOUR COPY OF THE APPLICATION AND MATERIAL

Exhibit

9

PC Mailing List for PC Meeting Date: 1/27/03

DATE: 1/17/03

#	Recipients	Sent
10	Copies for Front Table	
1	Maggie Dan	
1	Sean	
1	Christina	
1	Tony	
1	Brian Nakamura	
1	Brian Cosgrove	
1	Front Counter	✓
1	Bob Cullison	
1	Jay Toll	
1	Dean Norlan	
1	Nancy K.	
1	Fire Department	✓
1	Public Works	✓
1	Applicant	
1	Applicant	
1	Daily Journal of Commerce-Kurt	
1	Sarah H. - Oregonian	
1	Transcription	
5	City Commission	
	Total	

✓ Joe Spaziani VR 02-10; ZC 02-03
 ✓ Tom Sisul " " " "

✓ MR. Howell ZC 02-03; VR02-10
 ✓ MR./MRS. Fleming ZC 02-03
 ✓ MR./MRS. O'Brien ZC 02-03

✓ SHA SPADY: AGENDA / LETTER

* Plus 30 names on previous page

✓ ORZEN

Eva Villa
 815 Kumulani Dr.
 Kihei, Maui, Hawaii
 96753

CICC Chairman

Tim Powell, Co-Chairman
819 6th Street
Oregon City, OR 97045

Barclay Hills Nbrhd Assoc.

Larry Jacobson, Chairman
17893 Peter Skene Way
Oregon City, OR 97045

Barclay Hills Nbrhd Assoc.

Elizabeth Klein, Land Use
13569 Jason Lee Drive
Oregon City, OR 97045

Canemah Nbrhd Assoc.

Howard Post, Chairman
302 Blanchard Street
Oregon City, OR 97045

Caufield Nbrhd Assoc.

Cathi VanDamm
15092 S. Persimmon Way
Oregon City, OR 97045

Caufield Nbrhd Assoc.

Robert Pouriea, Co-Chairman
14409 S. Cambria Terrace
Oregon City, OR 97045

Caufield Nbrhd Assoc.

Mike Mermelstein
20114 Kimberly Rose Drive
Oregon City, OR 97045

Gaffney Lane Nbrhd Assoc.

Janet Brand
19436 Stillmeadow Drive
Oregon City, OR 97045

Gaffney Lane Nbrhd Assoc.

Shelly Alway, Land Use
13411 Squire Drive
Oregon City, OR 97045

Hazel Grove / Westling Farm N/A

Bill Vickers, Chairman
19384 Hazel Grove Drive
Oregon City, OR 97045

Hazel Grove / Westling Farm N/A

Kathy Hogan
19721 S. Central Point Road
Oregon City, Oregon 97045

Hillendale Nbrhd. Assoc.

Debbie Watkins, Chairman
13290 Clairmont Way
Oregon City, OR 97045

Hillendale Nbrhd. Assoc.

Julie Hollister, Land Use
13304 Clairmont Way
Oregon City, OR 97045

McLoughlin Nbrhd Assoc.

Tim Powell, Co-Chairman
819 6th Street
Oregon City, OR 97045

McLoughlin Nbrhd Assoc.

Rick Winterhalter, Co-Chairman
1215 8th Street
Oregon City, OR 97045

McLoughlin Nbrhd Assoc.

Denyse McGriff, Land Use
815 Washington Street
Oregon City, OR 97045

Mt. Pleasant Nbrhd Assoc.

Jessica Eckart
307 Caufield St.
Oregon City, OR 97045

Park Place Nbrhd. Assoc.

Ralph and Lois Kiefer
15119 Oyer Drive
Oregon City, OR 97045

Rivercrest Nbrhd. Assoc.

Diane McKnight, Chairman
161 Barclay Avenue
Oregon City, OR 97045

Rivercrest Nbrhd. Assoc.

Patti Brown, Land Use
P.O. Box 1222
Oregon City, OR 97045

South End Nbrhd. Assoc.

Karen Montoya
137 Deerbrook Drive
Oregon City, OR 97045

Preston Gates & Ellis

Bill Kabeiseman
222 SW Columbia St Suite 1400
Portland, Oregon 97201-1422

Planning Commission

Linda Carter
1145 Molalla Avenue
Oregon City, Or 97045

Planning Commission

Lynda Orzen
14943 Quinal Ct
Oregon City, Or 97045

Planning Commission

Dan Lajoie
143 John Adams Street
Oregon City, OR 97045

Planning Commission

Duff Main
15868 South Lora Ct
Oregon City, Or 97045

Planning Commission

Renate Mengelberg
2263 South Gilman
Oregon City, Or 97045

Tr ripations

Pa. anson
10214 SW 36th Court
Portland, Oregon 97219

DJC

Kurt Shirley
PO Box 10127
Portland, OR 97296

Oregonian Metro South-News

365 Warner-Milne Road, Ste. 110
Oregon City, Oregon 97045
Attn: Sarah Hunsberger

Don Vedder Real Estate
126 Cherry Avenue
Oregon City, Oregon 97045
Attn: Karen Slomp

Rene Hinneberg
AV Tech
2580 Cambridge Street
West Linn, OR 97068

Clackamas Community College
Community Relations Department
19600 S. Molalla Avenue
Oregon City, OR 97045

OREGON CITY PLANNING COMMISSION BYLAWS

Article 1. Name

The name of this commission is the Planning Commission (PC).

Article II. Purpose, Authority and Duties

- A. The purpose of the Commission is to serve as an advisory body to, and a resource for, the City Commission in land use matters.
- B. ORS 227 and the Oregon City Municipal Code Chapter 2.24 authorize the Commission.
- C. The Commission's duties include articulating the community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Oregon City Comprehensive Plan and ancillary documents.

Article III. Membership

- A. The Mayor with the consent of the City Commission shall appoint each Commission member, and those members shall serve at the pleasure of the Commission. Terms are for a period of four years. Planning Commission members shall serve no more than two, consecutive full terms. The City Commission may waive this limitation if it is in the public interest to do so.
- B. The Commission consists of seven members. No more than two members may be non-residents, and no more than two members shall be engaged in the same kind of occupation, business, trade, or profession. No member may be a City of Oregon City officer, agent, or employee.
- C. Vacancies are filled in the same manner as the original appointments.
- D. Upon failure of any member to attend three consecutive meetings, the Planning Commission may recommend termination of that appointment to the City Commission, and the City Commission may remove the incumbent from the Planning Commission and declare the position vacant to be filled in the manner of a regular appointment.

- E. All members shall serve without compensation.

Article IV. Officers and Staffing

- A. **Officers.** The officers consist of a chairperson and a vice-chairperson who shall be selected by the membership and who shall serve at the pleasure of the membership for one year. Nominations and election of new officers shall be taken from the floor at the Commission's first meeting of the year. Officers may be re-elected. In the event that an officer is unable to complete the specified term, a special election shall be held for the completion of the term.
- B. **Chairperson.** The chairperson shall have general supervisory and directional powers over the Commission. The chairperson shall preside at all Commission meetings and review Commission agendas with the staff liaison. The chairperson shall also be an ex-officio member of all subcommittees and shall be the designated spokesperson for the Commission unless this responsibility is delegated in writing.
- C. **Vice-Chairperson.** The vice-chairperson, in absence of the chairperson, shall have general supervisory and directional powers over the Commission. The vice-chairperson shall preside at all Commission meetings and review Commission agendas with the staff liaison, and generally conduct all business delegated to the chairperson, in his or her absence.
- D. **Staff.** The City of Oregon City will provide staff support to the Commission for meeting notification, word processing, minutes preparation, copying and information gathering to the extent the City budget permits.

Article V. Organizational Procedures

- A. The Commission shall hold meetings as necessary at a time and place designated by staff consistent with Oregon Public Meetings Law.
- B. Fifty-one percent of the voting membership of the Commission shall constitute a quorum. The concurrence of a majority of the Commission members present shall be required to decide any matter. If a quorum is not attained fifteen minutes following the scheduled time of call to order, the meeting shall be cancelled.
- C. All members who are present at a Commission meeting, including the chairperson and vice-chairperson, are allotted one vote each on all motions.
- D. These Bylaws may be repealed or amended, or new bylaws may be adopted by a majority vote of the Planning Commission on its own initiative.

- E. The parliamentary authority for this Commission is Robert's Rules of Order Revised except where superseded by these Bylaws or local, state, or federal law.
- F. Commissioners are required to file annual statements of economic interest as required by ORS 244.050 with the Oregon Government Standards and Practices Commission.
- G. Individuals being considered for appointment to the Planning commission must be willing to dedicate to, at a minimum, two meetings per month. A scheduled Commission meeting may be set aside upon agreement of a majority of the Commissioners and upon compliance with applicable land use laws and procedures.

Article VI. Duties of Officers

- A. The chairperson or vice-chairperson, in addition to the duties in Article IV, shall preserve order and decorum at Commission meetings.
 - 1. The chairperson may assess the audience at the beginning of the meeting, and, with the consent of the Commission, announce reasonable time limits.
 - 2. The chairperson shall summarize the issues to be addressed and the criteria to be applied prior to the public hearing testimony.
- B. The chairperson shall ask for response and opinion from the members of the Commission.
- C. The chairperson may mentor the vice-chairperson.
- D. The chairperson may appoint Commission members to specific projects or committees.
- E. The chairperson or vice-chairperson shall confer with the Community Development Director on a regular basis outside scheduled meetings concerning the direction each expects of the Commission.
- F. In conjunction with the Planning Manager, the chairperson shall orient new members.

Article VII. Duties of the Commission

- A. Planning Commission members are encouraged to address all those who come before the Commission by the last name only, and common title (Mr., Mrs., Miss, Ms., etc.), not by first name.

- B. If a member is unable to attend a meeting, it is that member's responsibility to inform the Planning Divisions staff and/or the Commission chairperson of that fact prior to the meeting to be missed.
- C. Prior to Planning Commission meetings, members are encouraged to read all information packets and visit sites that are subjects of land use action.

Article VIII. Goals and Objectives

- A. The Planning Commission shall review the City Commission goals annually for establishment of Planning Commission goals that enhance and augment those of the City Commission
- B. The Planning commission shall establish goals, at a minimum, annually.

Adopted this 24th day of January, 2000

Gary Hewitt, Chairperson
Oregon City Planning Commission

**OREGON CITY PLANNING COMMISSION
TALLY OF VOTES**

PLANNING COMMISSION MEETING DATE: 1/27/03

COMMISSIONERS ASENT

Mengelberg

STAFF PRESENT

Konko

.....
ITEM: _____

MEMBERS:	AYE	NAY	ABSTAIN	COMMENTS
Lynda Orzen	<input checked="" type="checkbox"/>	_____	_____	_____
Duff Main	<input checked="" type="checkbox"/>	_____	_____	_____
Renate Mengelberg	_____	_____	_____	_____
Bob Bailey <u>Lejai</u>	<input checked="" type="checkbox"/>	_____	_____	_____
Linda Carter	<input checked="" type="checkbox"/>	_____	_____	_____

MOTION: Motion carries
.....

.....
ITEM: VR 02-10

MEMBERS:	AYE	NAY	ABSTAIN	COMMENTS
Lynda Orzen	<input checked="" type="checkbox"/>	_____	_____	_____
Duff Main	<input checked="" type="checkbox"/>	_____	_____	_____
Renate Mengelberg	_____	_____	_____	_____
Bob Bailey <u>Lejai</u>	<input checked="" type="checkbox"/>	_____	_____	_____
Linda Carter	<input checked="" type="checkbox"/>	_____	_____	_____

MOTION: Carries
.....

.....
ITEM: BC 02-03

MEMBERS:	AYE	NAY	ABSTAIN	COMMENTS
Lynda Orzen	_____	<input checked="" type="checkbox"/>	_____	_____
Duff Main	<input checked="" type="checkbox"/>	_____	_____	_____
Renate Mengelberg	_____	_____	_____	_____
Bob Bailey <u>Lejai</u>	<input checked="" type="checkbox"/>	_____	_____	_____
Linda Carter	<input checked="" type="checkbox"/>	_____	_____	_____

MOTION: Carries 3-1

CITY OF OREGON CITY

PLANNING COMMISSION LIST OF EXHIBITS

HEARING DATE:

1/27/03

CASE FILE #:

ZC02-03

EXHIBIT ID LABEL (alphabetic)	TYPE OF EXHIBIT	SUBMITTED BY:
A	Letter dated 1/16/03	Scott Sether
B	MR. Phillips: 19224 Pine Place Re: TP 02-03	MR. Phillips
C		
D		
E		
F		
G		
H		
I		
J		
K		
L		

EXHIBIT ID LABEL (alphabetic)	TYPE OF EXHIBIT	SUBMITTED BY:
M		
N		
O		
P		
Q		
R		
S		
T		
U		
V		
W		
X		
Y		
Z		
AA		
BB		

January 16, 2003

Tony Konkol
City of Oregon City
320 Warner Milne Rd
Oregon City OR 97045

Dear Mr. Konkol:

I am writing this letter to voice my concerns around the proposed South End Estates development. First off, I think there needs to be an additional entrance off of South End Road to help with the increase in traffic that will occur. As it is now Filbert and Partlow have a large amount of traffic. Adding additional housing with no other entrance will make the traffic problem much worse than it is now.

I also feel that the development needs to stay zoned R-10. Traffic will increase, but even more so if this is rezoned R-8. I wonder if an addition retention pond will be part of this development? If not, there is a potential for flooding and problems with drainage. With an increase in housing there is going to be even more children attending John McLoughlin Elementary. Keeping this development zoned R-10 will keep the enrollment at the elementary school down.

Thank you for taking the time to listen to my concerns about the new development.

Sincerely,



Scott Sether
19230 Pine Place
Oregon City, OR 97045
(503) 650-7867

OC PLANNING COMMISSION
HEARING DATE: 1/27/03
CASE FILE: 2C 02-03
EXHIBIT: A

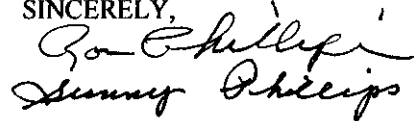
TO: OREGON CITY PLANNING COMMISSION
RE: FILE NUMBER TP 02-03

AS NEW HOME OWNERS ON S. PINE PLACE, WE ARE VERY CONCERNED ABOUT THE LIMITED ACCESS TO SOUTH END ESTATES. IN YOUR PLAN, PINE PLACE WILL BE ONE OF TWO MAIN ACCESS ROADS. WE MUST PROTEST THE ADDED TRAFFIC AND NOISE ON OUR STREET.

PLEASE REEVALUATE THE SITE LAYOUT PLAN, AND CREATE A MAIN ACCESS FROM SOUTH END ROAD.

THANK YOU.

SINCERELY,

Handwritten signature of Ron & Sunny Phillips in cursive script.

RON & SUNNY PHILLIPS
19224 S. PINE PLACE
OREGON CITY, OR 97045

OC PLANNING COMMISSION
HEARING DATE: 1/27/03
CASE FILE: EC 02-03
EXHIBIT: B

