



City of Oregon City

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

Meeting Minutes Planning Commission

Monday, October 26, 2020

7:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

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

Present: 6 - Chair Mike Mitchell, Commissioner Christopher Staggs, Commissioner Dirk Schlagenhauser, Commissioner Gregory Stoll, Commissioner Patti Gage, and Commissioner Vern Johnson

Absent: 1 - Commissioner Tom Geil

Staffers: 3 - Community Development Director Laura Terway, Senior Planner Pete Walter, and City Attorney Carrie Richter

2. Public Comment – *None*

3. Public Hearing

GLUA 20-00033 LEG-20-00001 Public Works Code Amendments. Request for a continuance to November 9, 2020: Proposed code revisions to the Geologic Hazards Overlay District and other ancillary Public Works related development code & standards such as refinements to Public Utility Easements (PUE), requirements for undergrounding utilities, sanitary sewer standards, and the adoption of policies relating to sidewalk obstructions and undergrounding of utilities.

A motion was made by Commissioner Stoll, seconded by Commissioner Gage, to continue the hearing to November 9, 2020. The motion carried by the following vote:

Aye: 6 - Chair Mike Mitchell, Commissioner Dirk Schlagenhauser, Commissioner Vern Johnson, Commissioner Gregory Stoll, Commissioner Patti Gage, and Commissioner Christopher Staggs

GLUA-20-00020: CU-20-00002 / SP-20-00043 - 182 Warner Parrott Road - Proposed 30-Bed Residential / Memory Care

Facility

Chair Mitchel opened the public hearing and read the hearing statement. He asked if any Commissioner had conflicts of interest, ex parte contacts, bias, or any other statements to declare including a visit to the site.

Commissioner Gage had been by the site.

Commissioner Johnson drove by the site regularly.

Commissioner Schlagenhauser was familiar with the site.

Commissioner Staggs knew where the property was.

Chair Mitchell visited the site.

Pete Walter, Senior Planner, presented the staff report. This was a request for a conditional use and site plan and design review for expansion of an assisted living facility with memory care at 182 Warner Parrott Road. He described the existing conditions on the lot. The proposal would expand the existing 5 room adult care home into a 30 bed residential care facility. He showed the renderings and gave a summary of the revisions done in response to public comment. There was a requested modification to the siting of the structure. The applicant had proposed three pedestrian elements in the front of the building as mitigation for the increased setback. He discussed the approval criteria and revised conditions of approval. Staff recommended approval.

There was discussion regarding the utility easement, site lighting, landscaping, parking, assisted living vs. residential care facility, setback standards, maximum height, and when the review of state licensing should be provided.

Edward Radulescu, representing the applicant, explained there would be lighting in the pedestrian seating area and entrance pathway. There would also be a couple of secured courtyard areas for outdoor recreational space. This was going to be a residential care facility catered to the elderly who needed 24 hour care and a memory endorsement for those with dementia or Alzheimer's. In the redesign, the height of the building was reduced so it matched the height of the existing building. He explained the setbacks of the existing building and review process for the licensing. They wanted to make sure all of the land use requirements were met before final approval of the licensing with DHS and before the building permits and approvals. They did not anticipate any revisions to the exterior or footprint of the building resulting from DHS.

There was discussion regarding use of the outdoor areas and pedestrian walkways.

Petronella Donavan, applicant, explained how they currently used the outdoor spaces.

Jerry Yarberry, resident of Oregon City, said six neighboring properties would be affected by this application and eight neighbors had submitted written comments opposing the application. The reasons were that it did not fit the nature of the neighborhood and privacy concerns. He thought going from 5 beds to 30 was too much and would alter the character of the neighborhood. He requested the hearing be continued due to the new information submitted tonight. He would also like clarification on where the garbage refuse building would be located.

Marilynn Fergus, resident of Oregon City, requested a continuance for time to look through all of the material. She wanted to make sure 30 beds were being proposed, not 33. Her main concern was the increased traffic and congestion. It would alter the character of the surrounding neighborhood.

Amy Wilhite, resident of Oregon City, also asked for a continuance. She did not think the application met the criteria for conditional use, especially regarding impeding the residential use, significant traffic impact, site impediment, and altering the character of the neighborhood.

Michelle and John Winters, residents of Oregon City, said the new building would have windows looking down into their backyard, would block the sun, and the garbage enclosure would be close to the property line. It would take away their privacy and hurt their resale value. They thought overflow parking would go on their street. They requested a continuance.

Gary Spanovich, resident of Oregon City, prepared the traffic letter for this application. The traffic impact was Level of Service A before the development and Level of Service A after the development. It met the City's code. He explained how overall not much increased traffic would be generated.

Mr. Radulescu explained staffing would be one worker per every seven to ten residents and it was a 30 bed facility. They would have visitor and staff parking and rideshare and transit options would be offered to employees. They had increased the parking to the maximum allowed by the code. The driveway and parking area had been designed to meet fire truck access. There would be a ten foot setback from the sidewalk to accommodate the public utility easement. The garbage would be fully enclosed by a minimum of six foot high walls and it would be surrounded by landscaping. It would be five feet from the property line. The neighbor's tree by the detached garage would not need to be cut down. The detached garage would be removed and the smaller structure would be built there.

Mr. Yarberry said it was currently difficult to get onto Warner Parrott and adding anymore cars would make it that much more difficult. Mr. Spanovich had looked at the accident data over a three year period and it did not show an issue there. They did look at site distance and it met the standards.

Carrie Richter, City Attorney, clarified the Commission had to grant the request for continuance.

Ms. Fergus said fire trucks could pull in to the driveway, but they often did not. She agreed it was not easy to get out onto Warner Parrott due to site impediments.

There was discussion regarding meeting Clackamas Fire requirements, no criteria for viewing into a neighbor's backyard, garbage enclosure would need to be vented, nothing in the code to protect against blocking light to a garden, need for more detailed drawings of the application, whether the application altered the character of the surrounding area and use of the property, conflict in the code regarding setbacks and using the 20 foot residential setback instead, and setting a precedent.

A motion was made by Commissioner Staggs, seconded by Commissioner Stoll, to continue the hearing to November 9, 2020. The motion carried by the following vote:

Aye: 6 - Chair Mike Mitchel, Commissioner Dirk Schlagenhauser, Commissioner Vern Johnson, Commissioner Gregory Stoll, Commissioner Patti Gage, and Commissioner Christopher Staggs

Determine if the Planning Commission will Provide Policy Advice and/or Project Requests to the City Commission for the Next Biennium Budget

Laura Terway, Community Development Director, reviewed the list of projects staff had for the next biennium budget. She asked if the Planning Commission wanted to provide recommendations for the City Commission to consider.

There was discussion regarding items to include in the recommendations. This would be on the next agenda for more discussion.

4. Communications

Ms. Terway said there would be another OC 2040 PAC meeting on Wednesday. The City Commission would be discussing the new Tree Removal Policy and Construction Excise Tax in November. The Natural Resources Committee was working on an overlay district to protect upland habitat in the Thimble Creek Concept Plan area.

5. Adjournment

Chair Mitchell adjourned the meeting at 9:27 PM.