

City of Oregon City
Meeting Minutes
Planning Commission

Monday, January 13, 2020, 7:00 PM, Commission Chambers

1. Call to Order

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

Vern Johnson, Dirk Schlagenhauser, Gregory Stoll, Michael Mitchell, and Patti Gage were present and Carrie Richter, Private Attorney, and Christina Robertson-Gardiner, Senior Planner, Kelly Reid, Planner, and Laura Terway, Community Development Director, represented staff.

2. Public Comments

There were no public comments on non-agenda items.

3. Public Hearing

- a. GLUA-19-00041 (General Land Use Application), VAR-19-00006, through VAR-19-00009 (Variances) for Sign variances at the Hilltop McDonald's at 1450 Molalla Avenue

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

Commissioners Johnson, Schlagenhauser, Gage, and Chair Mitchell declared they have been to the site in the past and have no conflicts of interest or ex parte contacts.

Commissioner Stoll declared he has no site visits or conflicts of interest.

There were no members of the public that questioned the commissioners.

Kelly Reid, Planner, presented the staff report. She explained that there were two applications that included a total of four variances. Ms. Reid reported that the site was already non-conforming to the allowed number of free-standing signs. The first variance was installing new menu boards and the permission to have three free-standing signs. The second variance referred to how the new menu boards will partially change with each customer interaction which was in conflict with current codes, prohibiting signs to change more than three times. Ms. Reid reported that staff found the number of signs will still create more visual clutter than if the applicant met the standards and recommended mitigation to screen the signs from the right-of-way. She reported that the variable message changes would be minimally visible and not cause impact, and did not require mitigation.

Ms. Reid stated that the staff recommendation was to approve the application with the condition that the applicant plant two trees, at specific locations on property, to better screen the signs.

Mr. Schlagenhauser asked whether the city has specific codes for drive-thru menu boards. Ms. Reid explained the city has provisions for incidental and ancillary signs.

Ms. Reid spoke about the differences between trees and hedges as mitigation recommendations.

David Ratliff, resident of South Bend, Indiana, Project Coordinator for Site Enhancement Services, spoke representing McDonald's. Mr. Ratliff described the applicant's intention to utilize technology to increase customer satisfaction and explained the changes to the new signs. He stated that McDonald's is prepared to comply with any stipulations. He answered a few questions from the commissioners concerning the McDonald's general plan with menu boards, the variable messages, and the physical structure of the boards.

There were no comments from any neighborhood association representatives and the general public.

Chair Mitchell closed the public hearing.

Dirk Schlagenhauser moved to approve GLUA-19-00041 with staff recommendations. Seconded by Patti Gage. Motion passed.

Vern Johnson: Aye

Gregory Stoll: Aye

Patti Gage: Aye

Dirk Schlagenhauser: Aye

Michael Mitchell: Aye

- b. GLUA-19-00042 (General Land Use Application), VAR-19-00010, through VAR-19-00013 (Variances), WRG-19-00001 (Willamette River Greenway), FP-19-00002 (Floodplain Review) for Sign variances at the McDonald's at 2010 Clackamette Drive

Commissioners Johnson and Gage disclosed they have been to the site in the past and have no conflicts of interest or ex parte contacts.

Commissioner Schlagenhauser, Commissioner Stoll, and Chair Mitchell disclosed they have not been to the site in the past and have no conflicts of interest or ex parte contacts.

There were no members of the public that questioned the commissioners.

Chair Mitchell opened the public hearing.

Ms. Reid summarized the findings and recommendations in the staff report pertaining to the application. She explained that the application was very similar to the first application; one significant difference being that the property resides on the floodplain overlay. Ms. Reid reported that staff recommended approval with the conditions that applicant would plant at least eight additional large shrubs, as well as requiring documentation for no net fill in the floodplain and that building codes for floodproofing are met.

Mr. Ratliff spoke, representing McDonald's. He indicated that he was working on providing no net fill documentation and applicant will comply with any of the recommendations.

There were no comments from any neighborhood association representatives and the general public.

Chair Mitchell closed the public hearing.

Gregory Stoll moved to approve GLUA-19-00042 with conditions. Seconded by Vernon Johnson. Motion passed.

Vern Johnson: Aye

Gregory Stoll: Aye

Patti Gage: Aye

Dirk Schlagenhauser: Aye

Michael Mitchell: Aye

- c. Planning Files: LEG 19-00003 - Beavercreek Road Concept Plan- Code and Zoning Amendments- Tentative Planning Commission Recommendation and Discussion of Outstanding Items (Parks, Enhanced Home Occupation/Cottage Industry, Upland Habitat)

Ms. Reid left meeting at 7:33 PM

Chair Mitchell opened the continued public hearing for the Beavercreek Road Concept Plan.

Christina Robertson-Gardiner, Senior Planner, reported on outstanding items concerning the zoning and code amendments for the Beavercreek Road Concept Plan (BRCP). Ms. Robertson-Gardiner referenced memo (Planning Commission Memo January 6, 2020) which outlined all resolved items and the three unresolved items: Home Occupation/Cottage Manufacturing, Upland Habitat regulation under OCMC 17.49 Natural Resource Overlay District (NROD), and Parks Acquisition Code Amendments. Ms. Robertson-Gardiner entered into the record a letter (dated in November) and an email update (dated in January) from Todd Mobley, Transportation Engineer, regarding the need for flexibility with collector status of roads in Concept Plan.

Ms. Robertson-Gardiner discussed the parks acquisition code including updates to dimensional details for Linear Park and Thimble Creek Conservation Area, revised residential calculation, non-residential contribution and the Parks and Recreation Advisory Committee (PRAC) reviews. She shared her intention to meet with the PRAC on January, 23 2020 to provide review and request recommendation of support.

Ms. Robertson-Gardiner reviewed Home Occupation/Cottage Housing, highlighting the outstanding items; hours of operation for retail and employees and commercial vehicle allowances. There was consensus among commissioners regarding proposed code.

Ms. Robertson-Gardiner discussed the issues and recommendations regarding the Upland Habitat. She referenced a letter from the Natural Resources Committee (NRC) dated November 13, 2019, that expressed the Committee's belief that new codes should be created to provide additional habitat protection for areas 3 and 4 on City map attached to letter. Planning Commission agreed with staff recommendation that existing code substantially implemented plan vision and no revisions to code were necessary.

Ms. Robertson-Gardiner stated she had clear direction on all issues presented and will have further conversation with Mr. Mobley and the City Commission regarding the street collector.

*Elizabeth Grasser Lindsay, resident of Clackamas County, made a comment regarding the Home Occupation/Cottage Housing code changes. She referenced the purpose of the code in supporting job creation and reducing commuting impacts in Oregon City. She recommended changing the code 17.54.120 to read, "Home occupations and Cottage Industries within the Thimble Creek Concept Plan Area **shall be the development type...**" because it would insure that home occupations would occur in the area. She made an additional comment regarding the Revised Residential Calculation. She expressed concern*

that there was a loss in park acres and explained that she thought the original total number of park acres was 20 which corresponded with the park factor of 8 acres in the calculation.

There was a discussion about the wording in the Home Occupation/Cottage Housing codes and the specific aims of the plan it signifies. Ms. Robertson-Gardiner pointed out that previous PC direction was to not to require home occupations but create the option. Mr. Schlagenhauser asked about possible incentives or tax-breaks that could encourage home occupation and Ms. Robertson-Gardiner suggested possible avenues outside of land-use codes. Chair Mitchell suggested putting the word “encourage” into the code.

There was consensus among commissioners to have a representative from the NRC come to a PC meeting to further explain their recommendations as outlined in their letter.

There was a discussion about a possible policy change/recommendation for separated bike lanes for the collector roads. There was agreement that staff would look into it and provide more information to PC.

4. Communications

Laura Terway, Community Development Director, announced that the next meeting will be January 27th, 2020 and it will include a discussion of meetings proposed in 2020 and legal training by attorney Carrie Richter. Ms. Terway indicated there is a training by DLCD (Department of Land Conservation and Development) staff, January 29th, 5 – 7:30pm in Salem, OR. She also stated that the Mayor intends to add the 7th Planning Commissioner, Chris Staggs, on Wednesday, January 15th.

5. Adjournment

The meeting was adjourned at 8:37 PM.