



CITY OF OREGON CITY PLANNING COMMISSION MINUTES

Virtual

Monday, July 12, 2021 at 7:00 PM

This meeting will be held online via Zoom; please contact planning@orccity.org for the meeting link. In-person attendance will not be available.

CALL TO ORDER

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

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

Staffers: 4 - Community Development Director Laura Terway, Assistant Planner Dilia Vassileva, Senior Planner Christina Robertson Gardiner, and City Attorney Carrie Richter

PUBLIC COMMENT – None

PUBLIC HEARING

1. GLUA-21-00019/CU-21-00002: The Father's Heart Street Ministry Conditional Use Permit for Warming Shelter

Chair Schlagenhauser opened the public hearing and read the hearing statement. He asked if any Commissioner had ex parte contacts, conflicts of interest, bias, or any other statements to declare. Commissioners Stoll, Mitchell, Wuest, Gage, and Schlagenhauser visited the site.

Carrie Richter, City Attorney, explained the Fair Housing Act and Americans with Disabilities Act protections regarding individuals who might seek shelter at Father's Heart.

Diliana Vassileva, Assistant Planner, presented the staff report. This was a request for a conditional use to operate a temporary warming shelter at Father's Heart Street Ministry. She discussed the subject site and current facility that was being used as a day shelter. For the past four years, the City had approved an emergency resolution for them to operate as a nighttime warming shelter in the winter months. No alterations to the building were being proposed. She then reviewed the conditional use criteria. Staff requested a continuance to August 9, 2021 in order to re-notice the application. She entered the additional public comments received into the record.

Marty Gant, Father's Heart, would delay his comments to the August meeting. They had been operating successfully and cared about the surrounding neighborhood. He explained

that if this application was denied, they would continue to request an emergency resolution.

Jay Pearce, resident of Oregon City, said the property was not zoned for the Father's Heart use. It had been inappropriate in the beginning and continued to be inappropriate. The neighborhood was opposed to any expansion of services.

Richard Kaiser, resident of Oregon City, was a neighbor. He would reserve his comments until the next meeting.

Sharon Nicholson, resident of Oregon City, did not think the criteria for a successful completion of the application was met.

Clint Nicholson, resident of Oregon City, agreed the application did not meet the criteria.

Christine Lefever, resident of Oregon City, explained how the existence of Father's Heart in this location was detrimental to the neighborhood.

Mary Stivers, resident of Oregon City, opposed a permanent nighttime shelter at Father's Heart based on the fact that the good neighbor policy had not been actively enforced.

Colin Murray read a statement from Allison Famous, resident of Oregon City, who recommended prohibiting growth of Father's Heart at this location.

Jessica Murray, resident of Oregon City, said the Father's Heart did not responsibly operate their current day shelter or temporary night shelter and should not expand services. They had not tried to work with the neighbors to address concerns since they moved in in 2012. A warming shelter should be provided in a different location.

Tristan Murray, resident of Oregon City, discussed his interactions with the homeless from Father's Heart. He requested that the application be denied.

Amanda Alwine, resident of Oregon City, read comments by community members that resided in the McLoughlin neighborhood. Father's Heart had affected livability and adding services would only further the impact. Over 70 residents had signed a petition to deny the application.

Heidi McKay, resident of Oregon City, discussed her efforts to create community and increase safety in the neighborhood. Father's Heart had no mental health professionals and did not help people get into transitional housing. It needed to be in a different location.

Tyler McKay, resident of Oregon City, said there had been no communication with the neighbors. They needed to be in a different location near services.

Dan Kromer, resident of Oregon City, deferred making comments until the August meeting.

Teri Poppino, resident of Oregon City, deferred comments to August as well.

Pam Kromer, resident of Oregon City, also deferred her testimony to the August meeting.

Wendy Marshall, resident of Oregon City, had written the memo for the McLoughlin Neighborhood Association.

Robin Keating, Father's Heart, said they were listening to the concerns and would prepare a response on how to better work with the neighborhood.

Mr. Gant explained the criteria used for how many people could be accommodated at night.

A motion was made by Commissioner Stoll, seconded by Commissioner Mitchell, to continue the hearing for GLUA-21-00019/CU-21-00002: The Father's Heart Street Ministry Conditional Use Permit for a warming shelter to August 9, 2021. The motion carried by the following vote:

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

2. The North End Master Plan for the Former Rossman Landfill: GLUA 21-000016 (MAS 21-02, CU 21-01, FP 21-03, GEO 21-030)

Chair Schlagenhauser 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 Stoll visited the site. Commissioner Gage drove by the site regularly and had been at the driving range many times in the past. Commissioners Mitchell, Wuest, and Schlagenhauser had driven by the site many times.

Christina Robertson-Gardiner, Senior Planner, presented the staff report. This hearing had been continued from the June meeting. She entered items that had been recently received into the record.

Ms. Richter said Mr. Edgar raised concerns about the applicant's failure to address the ancillary documents to the Comprehensive Plan. Mr. Boice had raised concerns about the stormwater. Neither of these items warranted a continuance.

Ms. Robertson-Gardiner gave options for Commission action tonight. She discussed the purpose of a master plan, overview of the master plan and adjustments to the development standards, outstanding items from the June meeting, and revised conditions of approval.

John Replinger, Transportation Engineer, discussed the re-analyzing of key intersections and how the applicant could construct 40% of the total trips without needing transportation mitigation measures. Beyond that, those measures would need to be taken.

There were questions regarding the intersection improvements, types of trips, letter from ODOT questioning the annual growth, what was included in the assumptions for the base level of traffic, effect of the application on development of the Jughandle Phase 2, applicant's responsibility to show the transportation system was capable of accommodating the traffic, how most of the intersections had capacity, retaining wall height standard, how these would be privately owned and maintained streets but there would be public access on the sidewalks, and separating tax lots at a future date.

Christe White, representing the applicant, addressed the public comments that had been recently submitted. The applicant would meet the City's stormwater guidelines, the End of the Oregon Trail document was not applicable approval criteria, and there would be a shared use path designated across the site which was compliant with the Oregon City Trails Master Plan. The Downtown Community Plan was addressed with the mixed use zoning. She did not think there was need for a continuance.

There were questions regarding change to single commercial occupancy percentage, height limits, revisions to the conditions of approval, what was a permitted use and what would come back to be approved by the Planning Commission, and when the pathway would be built.

A motion was made by Commissioner Mitchell, seconded by Commissioner Stoll, to continue the meeting until 11:00 p.m. The motion carried by the following vote:

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

There were more questions about the all-weather cover for the pathway, parking, public transportation improvements, pedestrian traffic, and projections allowed above building height.

There were no public comments.

The applicant agreed to extend the 120 day timeline to September 23, 2021.

Chair Schlagenhauser closed the public hearing.

A motion was made by Commissioner Staggs, seconded by Commissioner Mitchell, to tentatively approve the North End Master Plan for the former Rossman Landfill: GLUA 21-000016 (MAS 21-02, CU 21-01, FP 21-03, GEO 21-030) with the revised conditions. Staff would come back with revised findings for adoption at the next Planning Commission meeting on July 26, 2021. The motion carried by the following vote:

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

COMMUNICATIONS

Laura Terway, Community Development Director, said in person meetings would begin in August. She thanked Pete Walter, Senior Planner, for his time with the City. The annexation code amendments had been appealed to LUBA.

ADJOURNMENT

Chair Schlagenhauser adjourned the meeting at 10:20 PM.