



CITY OF LAKE OSWEGO
Planning Commission Minutes
October 23, 2017

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1. CALL TO ORDER

Vice Chair Ward called the meeting to order at 6:30 p.m. in the Council Chamber of City Hall, 380 A Avenue, Lake Oswego, Oregon.

2. ROLL CALL

Members present were Vice Chair Bill Ward, and Commissioners Randy Arthur, Skip Baker, Ed Brockman, and Nicholas Sweers. Chair Heape was excused. Council Liaison Theresa Kohlhoff was also present.

Staff present were Scot Siegel, Planning and Building Services Director, Debra Andreades, Senior Planner; Paul Espe, Associate Planner; Evan Boone, Deputy City Attorney; Iris McCaleb, Administrative Assistant; and Erica Rooney, City Engineer. Also in attendance: James Brown, City of Portland, BES; and Eric Eisemann, E² Land Use Planning Services, LLC.

3. COUNCIL UPDATE

Councilor Kohlhoff gave the Council Update. In response to a question from Commissioner Sweers as to whether the Council had talked about the recent County tax increase, Councilor Kohlhoff responded no. Regarding the pool, was there any discussion about location? Councilor Kohlhoff reported a group of users had completed a study; there are three possibilities being considered, including the Junior High, the Rassekh property, and the Golf Course. Councilor Kohlhoff shared information about funding options.

4. CITIZEN COMMENT

None

5. COMMISSION FOR CITIZEN INVOLVEMENT

Vice Chair Ward reported on the October 21, 2017, Mayor and Neighborhood Chairs' meeting. The Mayor provided an update on the North Anchor Project, which will include retail, restaurants, and a boutique hotel. At Third and B a four-story building is being planned, with ground floor retail, offices, and an event center/meeting room on the fourth floor. The Springs at Kruse, a senior living center with 200 units, is now getting started in Lake Grove. The LOTWP is almost all complete. The Mercantile Village redevelopment is still under discussion. He noted that neighborhood Chairs also shared reports. Prep LO is currently working to develop a plan for addressing medical issues, such as first aid and injuries that would occur in the event of a catastrophe; they are proposing the new Lakeridge High School could serve as an emergency field hospital. Some concerns around stormwater management were raised, from open ditches to stormwater planters. The school bus barn may be moved from Lake Grove to the Southwest Employment Area. Planning for Woodmont Park is almost done.

- 7.2 Community Development Code Amendments - Street Connectivity Standard (LU 17-0053). THIS HEARING WAS CONTINUED FROM OCTOBER 9, 2017. A request from the City of Lake Oswego for a text amendment to the Community Development Code to add an exception to the Street Connectivity Standard [LOC 50.06.003.4], that provides an alternative for complying with Metro Code Section 3.08.110.

Staff coordinator is Debra Andreades, Senior Planner.

Vice Chair Ward opened the hearing. Mr. Boone outlined the applicable criteria and procedures. No conflicts of interest were reported. No one challenged any Commissioner's right to consider the application.

Staff Report

Ms. Andreades provided the staff report. She stated that the Public Hearing was continued from October 9th. The proposed amendment would allow a new exception to the Street Connectivity Standard in the City's Code. The purpose of the Standard is to address community-wide access as well as regional transportation needs. Therefore, the proposed amendment has to meet the intent of Metro's Code - a regional standard. She noted that City staff met with Metro in July to discuss an approach for completing the street system in varying degrees. In some circumstances it is possible that an emergency and pedestrian access, rather than a full street connection, could be approved with this approach. She reminded the Commission that the new exception proposed with this Code amendment must meet the criteria for exceptions in Metro's Code. The most important of those criteria is whether or not the standard could still be achieved region-wide such that allowing an additional exception in the Lake Oswego Code would not set a precedent as being applicable in other jurisdictions, thereby reducing the ability to meet the standard region-wide. Metro staff determined that Lake Oswego does have some unique physical characteristics not found in other jurisdictions; therefore it would be feasible to have an additional amendment to the Lake Oswego Code's standard.

Ms. Andreades stated that the proposed amendment, included in Attachment 2, is for a limited access street rather than a full street. This would be in a local street situation, where there would be minimum public benefit of a street connection; not where a street would connect to an arterial or someplace where it is clear a connection is needed. In addition, the exception could only be applied where it wouldn't preclude development of adjacent property. The exception would require a case-by-case review and could apply in some situations. She referred to Exhibit F-2, the letter from Metro granting the request for the exception from Metro Code. She noted a "limited access street" is proposed to have a minimum width of 16 feet as proposed in the amendment and have removable bollards for emergency vehicle access, subject to approval by the City Engineer.

Questions of Staff

Vice Chair Ward shared an example of Bryant Ct. and asked whether this is already permitted under certain circumstances in Lake Oswego? Ms. Andreades stated she was not familiar with the example and opined that it may be a private street. Mr. Siegel added that it is possible the City may have approved as an alternative to having a cul-de-sac. Vice Chair Ward continued that he did not have a problem with this type of street and referenced the letter from Metro granting the exception if adopted as written. Mr. Siegel clarified that emergency access would only be required based on Fire Department recommendation. He reminded the Commission of past Planning Commission and Development Review Commission discussions desiring

APPROVED: 11/13/2017

flexibility. In response to a clarifying question, staff confirmed that the standard would be a minimum of 16 feet right-of-way width with at least 12 feet of pavement. In response to a question from Commissioner Baker as to whether the City Engineer would have clear and objective reasons so a developer would know the requirements at the outset, or whether it would be more discretionary, Ms. Andreades responded it would be more discretionary. But, on the other hand, it cannot preclude meeting the regional standards so if it was determined the connection was needed then the Exception would not be allowed. But if the Exception were allowed then the standards to be met would be clear and objective. Mr. Boone added an applicant can comply clear and objectively; if not they would seek an Exception for which the standards need not be clear and objective. Such tests as minimal public benefit is not necessarily clear and objective but it is not subjective, it is based on evidence related to the criteria. Mr. Siegel read aloud the Purpose of the Street Connectivity Standard, which set the policy objectives for the Standard and would serve as the review criteria for the Exception.

Vice Chair Ward suggested situations when this would apply, such as DRC review of a subdivision, to which Mr. Siegel added that the applicant would have to make the request for an exception and reviewing body would then apply the standard. Staff and the Commission further discussed the decision related to the Atherton Heights case, which led to this proposed amendment as an additional tool to provide flexibility.

Public Testimony

Proponent

None.

Opponent

None.

Neither for Nor Against

None.

Rebuttal

None.

Questions of Applicant

None.

Deliberations

The applicant waived their right to additional time to submit a final written argument. Vice Chair Ward opened deliberations.

Commissioner Brockman **moved** to accept as written the proposed Community Development Code Amendments - Street Connectivity Standard (LU 17-0053) and to recommend to City Council to adopt Ordinance 2760 (including the attachments), returning with Findings, Conclusion and Order on November 13, 2017. Commissioner Baker **seconded** the motion. The motion **passed 5:0**.

