



# City of Oregon City

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

## Meeting Minutes Planning Commission

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Monday, January 26, 2015

7:00 PM

Commission Chambers

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### 1. Call to Order

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

**Present:** 7 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Paul Espe, Denyse McGriff and Damon Mabee

**Staffers:** 2 - Laura Terway and Carrie Richter

### 2. Public Comments

*There were no public comments.*

### 5. Public Hearing

#### 5a. [PC 15-149](#)

SP 14-16: Site Plan and Design Review, CD 14-01: Code Interpretation / Similar Use Determination and US 14-05: Geologic Hazards Overlay District. The applicant submitted a request to construct a specialty retail structure for Discount Tire (formally known as America's Tire) within the Mixed Use Downtown District at 2002 Washington Street (near the intersection of highway 213 and Prairie Schooner Way). The application includes a Code Interpretation / Similar Use Determination to confirm the use is permitted as well as Geologic Hazards Overlay District Review.

*Chair Kidwell opened the public hearing. He asked if any Commissioner had a conflict of interest or ex parte contact to declare or a visit to the site.*

*Commissioners McGriff and Espe visited the site. Commissioner Kidwell knew the site well.*

*Laura Terway, Planner, presented the staff report. This was a proposal for construction of a building at 202 Washington Street. It was near the Home Depot, Metro transfer station, and on top of the old landfill. She explained the proposed landscaping plan, building elevations, site plans for the two story building, and compliance with Code criteria. Conditions 3 and 5 had been changed to give the applicant more time to complete. She then discussed the proposed use as motor vehicle and recreational vehicle repair/service and sales was prohibited and this was an application for retail sales of tires and wheels. There were ancillary services associated with the product purchased on site, such as installation, rotation, and balancing. There would be no repair or installation of brakes, shocks, batteries, engines, etc. The business hours would be Monday to Saturday from 8 a.m. to 6 p.m. (5 p.m. on Saturday) and closed on Sunday. There would be no outdoor storage and the application was consistent with the design guidelines and Mixed Use*

*Downtown (MUD) description in the Code. Staff recommended approval with conditions.*

*There was discussion regarding access, parking, and MUD zoning.*

*Dana Krawczuk and Scott Fournier were representing the applicant. Home Depot would be their landlord and was motivated to make sure there was access to the site and adequate parking. This was a unique zoning for the site, but this use would get them closer to what the MUD zone was trying to accomplish. These were large lots without sidewalks near Highway 213 and on the old landfill. This was a use well suited to the site and they had exceeded the standards and it would be done at human scale. Ms. Krawczuk discussed the design and landscaping. The Code was ambiguous regarding the uses allowed and she discussed the definitions of permitted and prohibited uses and retail store. The application was for only purchasing tires and wheels and their installation. She thought this was a retail store, not an automotive service store.*

*Mr. Fournier gave a background on Discount Tire Company. From the beginning the only thing they sold was tires and wheels and had no automotive repair. All the work was done in the stores and the stores were modern and efficient. They expected to stay in Oregon City for at least 30 years and keep the store fresh and new with long term maintenance. The policy was to get customers in and out within 30 to 45 minutes and they offered free services for flat repairs and air checks. They would try to hire within the community and they provided good employee benefits. They wanted to come to Oregon City because it was a wonderful community and there was growth potential. It was expensive to build on this site due to the foundation work, methane gas mitigation, and aesthetics of the building, however they felt like they fit in this location. It would be successful for everyone.*

*Ms. Krawczuk discussed why this was a retail use as opposed to a service use. Buying tires was a different experience than getting a car repaired. This was a significant allocation of square footage and they had worked hard on how the site would be oriented and to make it as pedestrian friendly as possible. This interpretation would be for this site and this user and this design only.*

*There was discussion regarding the methane mitigation and approval from DEQ and the retail use.*

*Chair Kidwell closed the public hearing.*

*Commissioner Mabee thought this application did fall under the retail store definition and was well within the conforming uses.*

*Commissioner McGriff agreed it was a retail store, but it was a retail store that catered to automobiles. She thought it was an automotive use and auto oriented use.*

*Commissioner Geil was in agreement with Commissioner Mabee.*

*Commissioner Espe appreciated the building design and pedestrian oriented frontage as it was a gateway to the City. He was concerned about the generic look and suggested an aspect of the building that would create uniqueness to Oregon City. It did fall under specialty uses as it was exclusive sale of one item. It was a difficult site and he thought it would be a compatible use. He also had concern about the landscape island and cars and trucks backing out. There needed to be screening for the ground mechanical units.*

*Ms. Terway clarified the applicant was not proposing to install ground mounted mechanical units.*

*Commissioner Mahoney thought it was a good application. It was a good location for the store. He was in support.*

*Commissioner Henkin thought the problem was the word service. Repairing and replacing tires was service, but he did not think that was the intent of the Code. This would be a good fit and he was in support.*

*Commissioner McGriff asked if the Commission approved this application, would this interpretation apply only to this application. Carrie Richter, City Attorney, said yes, that was how every approval was.*

*Chair Kidwell was also in support of the application. They were splitting hairs between definitions, and this particular use was appropriate for this particular site. The design was compatible with the existing Home Depot building and improved the overall look of the intersection. The retail use proposed at this location was consistent with the intent of the zoning for the site.*

*Commissioner Espe asked if the applicant was going to put in a monument sign. Ms. Terway replied there was no sign proposed in the application. Sign permits were approved over the counter.*

*Commissioner Espe thought signs should be reviewed with development applications. He wanted to make sure the sign incorporated natural materials and was externally lit.*

*Commissioner McGriff suggested adding a condition for the sign. Ms. Terway said the condition would say all signage on the site would comply with the signage standards.*

*Chair Kidwell reopened the public hearing to discuss signs with the applicant.*

*Mr. Fournier said the monument sign would blend in with the aesthetics of the surrounding. It would be the same scheme as the building and the lease with Home Depot had restrictions as well. They were willing to be in compliance with the new Sign Code even though it had not been adopted yet.*

*Commissioner Mahoney suggested a sign that reflected the spirit of Oregon City and the end of the Oregon Trail.*

*Mr. Fournier was agreeable to adding Condition 29, that any monument sign would be subject to compliance with the new Sign Code and using primarily natural materials.*

*Chair Kidwell closed the public hearing.*

**A motion was made by Commissioner Geil, seconded by Commissioner Espe, to approve SP 14-16: Site Plan and Design Review, CD 14-01: Code Interpretation / Similar Use Determination, and US 14-05: Geologic Hazards Overlay District with the conditions as amended. The motion carried by the following vote:**

**Aye:** 7 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Paul Espe, Denyse McGriff and Damon Mabee

#### 4. Adoption of Minutes

- 4a. [15-026](#) Request to approve draft Planning Commission Minutes for July 14 and July 28, 2014.

**A motion was made by Commissioner McGriff, seconded by Commissioner Mabee, to approve the Planning Commission minutes for July 14, 2014. The motion carried by the following vote:**

**Aye:** 7 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Paul Espe, Denyse McGriff and Damon Mabee

**A motion was made by Commissioner McGriff, seconded by Commissioner Mabee, to approve the Planning Commission minutes for July 28, 2014. The motion carried by the following vote:**

**Aye:** 7 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Paul Espe, Denyse McGriff and Damon Mabee

#### 3. Election of Planning Commission Chair and Vice-Chair

**A motion was made by Commissioner Mabee, seconded by Chair Kidwell, to nominate Charles Kidwell for Planning Commission Chair and Denyse McGriff for Planning Commission Vice-Chair. The motion carried by the following vote:**

**Aye:** 7 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Paul Espe, Denyse McGriff and Damon Mabee

#### 6. Communications

*Commissioner McGriff recommended the Commission make every effort to do site visits.*

*There was discussion regarding the benefits of site visits.*

*Ms. Terway gave an update on the Willamette Falls Legacy Project. An RFP had gone out for the River Walk design. There was a master plan application for a transportation facility for the School District. The Parks Master Plan and a zone change and Comprehensive Plan amendment for a property near Highway 213 and Beaver Creek would also be coming before the Commission in the future.*

#### 7. Adjournment

*Chair Kidwell adjourned the meeting at 8:20 PM.*