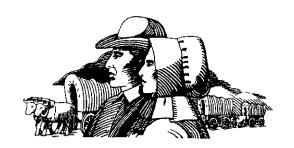
# CITY OF OREGON CITY

#### PLANNING COMMISSION

320 Warner Milne Road Tel (503) 657-0891 OREGON CITY, OREGON 97045 FAX (503) 657-7892



# **AGENDA**

City Commission Chambers - City Hall July 26, 2004 at 7:00 P.M.

The 2004 Planning Commission Agendas, including Staff Reports and Minutes, are available on the Oregon City Web Page (www.orcity.org) under PLANNING.

#### PLANNING COMMISSION MEETING

- 1. CALL TO ORDER
- 2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA
- 3. APPROVAL OF MINUTES: None
- 4. **HEARINGS:**

L 04-01 (Legislative), Applicant: The City of Oregon City, Requesting adoption by ordinance of the Oregon City Trails Master Plan as an Ancillary document to the Parks and Recreation Master Plan. Citywide.

L 04-02 (*Legislative*), Applicant: The City of Oregon City, Requesting adoption by ordinance of the Canemah Neighborhood Park Master Plan as an Ancillary document to the Parks and Recreation Master Plan. The sites are identified as Clackamas County Map 3S-1E-01, Tax Lots 800, 900, 1000 and 1100.

PD 04-01 (Quasi-Judicial Hearing), Applicant: MJF Engineering, Mike Flury, Requesting approval of a Planned Unit Development. The sites are identified as Clackamas County Map 3S-1E-12D, Tax Lots 300, 301, 302, 400, 401, 402, 500 and 600 (12.01 acres and zoned R-10 Single-Family Dwelling District). The sites are located at 19599, 19619, 19623, No Site Address, 19631, 19645, 19665 and 19679 Central Point Road.

WR 04-09 (Quasi-Judicial Hearing), Applicant: MJF Engineering, Mike Flury, Requesting a Water Resource determination and mitigation plan approval in association with a Planned Unit Development application (PD 04-01). The sites are identified as Clackamas County Map 3S-1E-12D, Tax Lots 300, 301, 302, 400, 401, 402, 500 and 600 (12.01 acres and zoned R-10 Single-Family Dwelling District). The sites are located at 19599, 19619, 19623, No Site Address, 19631, 19645, 19665 and 19679 Central Point Road.

#### 5. ADJOURN PUBLIC MEETING

TOTE: HEARING TIMES AS NOTED ABOVE ARE TENTATIVE. FOR SPECIAL ASSISTANCE DUE TO DISABILITY, PLEASE ALL CITY HALL, 657-0891, 48 HOURS PRIOR TO MEETING DATE.

# CITY OF OREGON CITY

# PLANNING COMMISSION

320 WARNER MILINE ROAD. TEL 657-0891 OREGON CITY OREGON 97045

ΓAX 657-7892

FILE NO.:

L 04-01

APPLICATION TYPE:

Legislative

HEARING DATE

July 26, 2004

7:00 p.m., City Hall 320 Warner Milne Road Oregon City, OR 97045

APPLICANTS/

City of Oregon City

OWNERS:

Dee Craig, Park and Recreation Director

320 Warner Milne Road Oregon City, Oregon 97045

APPLICANT'S

REPRESENTATIVE

Same.

REQUEST:

Adoption of the Trails Master Plan as an Ancillary document to the

Oregon City Parks and Recreation Master Plan, an Ancillary document

to the City's Comprehensive Plan.

LOCATION:

Numerous. Please refer to the attached Oregon City Trails Master Plan

map (Page 61, Exhibit 1).

REVIEWER:

Tony Konkol, Senior Planner

RECOMMENDATION:

Staff recommends approval of this application based on the satisfaction

of all required criteria for a Legislative action.

Legislative actions involve the adoption or amendment of the city's land use regulations, comprehensive plan, maps, inventories and other policy documents that affect the entire city or large portions of it. Legislative actions which affect land use must begin with a public hearing before the planning commission.

#### B. Planning Commission Review.

- 1. Hearing Required. The planning commission shall hold at least one public hearing before recommending action on a legislative proposal. Any interested person may appear and provide written or oral testimony on the proposal at or prior to the hearing. The planning manager shall notify the Oregon Department of Land Conservation and Development (DLCD) as required by the post-acknowledgment procedures of ORS 197 610 to 197 625, as applicable.
- 2. Planning Manager's Report. Once the planning commission hearing has been scheduled and noticed in accordance with Section 17.50.090(C) and any other applicable laws, the planning

- manager shall prepare and make available a report on the legislative proposal at least seven days prior to the hearing.
- 3 Planning Commission Recommendation. At the conclusion of the hearing, the planning commission shall adopt a recommendation on the proposal to the city commission. The planning commission shall make a report and recommendation to the city commission on all legislative proposals. If the planning commission recommends adoption of some form of the proposal, the planning commission shall prepare and forward to the city commission a report and recommendation to that effect.

#### C. City Commission Review.

- 1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance
- 2 Notice of Final Decision. Not later than five days following the city commission final decision, the planning manager shall mail notice of the decision to DLCD in accordance with ORS 197.615(2). (Ord. 98-1008 §1(part), 1998).

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT TONY KONKOL IN THE PLANNING DIVISION OFFICE AT 657-0891.

#### I. PROPOSED PROJECT

The proposal is to amend the Parks and Recreation Master Plan with the Oregon City Trails Master Plan (Plan), which calls for the development of a hierarchical trail system that integrates regional trails, community trails and local trails in a series of loops. This concept enables trail users to connect to most destinations on a variety of trails; from earthen walking trails to sidewalks and bicycle lanes to paved shared use paths. This hierarchical system of trails will also give community members a wide variety of trail options throughout the city and to other parts of the metropolitan region for travel to work, shopping and recreational facilities.

#### II. FACTS

#### A. Location and Current Use

The proposed Plan recommends improvements that will upgrade the existing system where needed, fill in the missing gaps, and connect to significant environmental features, schools, public facilities, local neighborhoods and business districts in Oregon City and throughout the region. The citywide trail system proposes to cross an array of land uses, from residential to commercially zoned parcels located on a mix of private property and public lands, owned and/or under the jurisdiction of such entities as the Clackamas Community College, the Oregon City School District, Metro, Clackamas County, Oregon Department of Transportation and the City of Oregon City.

The Conceptual Tails Plan Map (Exhibit 1, page 61) includes both existing and recommended trails and accessway. The connections and trails shown the map are desirable locations and routes that are subject to redevelopment and/or subdivision of private property. The actual trail location may change through further study and design.

#### B. Public Involvement and Public Comment

The Plan followed a series of research, field, and public process activities from late Fall 2003 to late spring 2004. The public involvement activities included four meetings with the Oregon City Technical Advisory Committee, a Visioning Workshop and information in *The Oregonian, Oregon City News* and on the City's website.

Two public open houses were held in March and May 2004 and separate meetings were held with the Park Place Neighborhood Association and the Canemah residents. Notice of the public hearing for the proposal was published on June 23, 2004 in the Clackamas Review and mailed to the affected agencies, CIC and Neighborhood Associations on June 18, 2004.

Comments were received from the Department of Land Conservation and Development (Exhibit 2) indicating that additional information should be provided concerning maintenance and construction of the project and recommended that volunteer efforts should focus on non-essential services. The Parks Manager (Exhibit 3) Oregon City Public Works Department (Exhibit 4), Oregon City Engineering Department (Exhibit 5) and the Hazel Grove Neighborhood Association (Exhibit 6) indicated that the proposal does not conflict with their interests.

## C. Background

Trails offer numerous aesthetic and recreational opportunities, as well as commuter options for traveling to and from destinations in Oregon City. Residents who desire to bicycle or walk to work, go for a family bicycle ride to the park, library, or along the Willamette and Clackamas rivers, or experience an undeveloped natural area will benefit from safe, connecting trails. Trails often help raise property values, provide common space for social interactions, improve overall community safety, and encourage healthy

lifestyles. They can also improve over-use conditions in sensitive environmental areas when designed properly

The Plan uses the term 'trail' to describe shared use paths, multi-use trails, sidewalks, and hiking pedestrian paths designed for non-motorized usage. Sidewalks or paths directly adjacent to roadways are included when they provide a link between trails or between a trail and a destination. Trail users may include, but are not limited to, bicyclists, non-motorized scooters, in-line skaters, users of other wheeled devices like Segways or electric assist-bicycles, roller skaters, wheelchair users, walkers, runners, and, in some cases, equestrians and non-motorized water activities.

Oregon City has many opportunities to develop a quality trail system. Many of its parks and greenspaces have their own internal trails. Some of them have been formally developed and others have been created by user demand, where people have simply walked and created a path. Many streets in newer developments and older historic core have sidewalks. There are a number of opportunities to create a unique trail system on the Newell Creek Canyon rim and to develop trails as larger plots of land are subdivided into smaller residential areas.

#### III. DECISION-MAKING CRITERIA:

Chapter O of the 1982 Oregon City Comprehensive Plan, Comprehensive Plan Maintenance and Update, contains criteria for approving changes to the comprehensive plan and plan map. Review of the comprehensive plan should consider:

- 1 Plan implementation process
- 2. Adequacy of the Plan to guide land use actions, including an examination of trends
- 3 Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
- 4 Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies

The Oregon City Trails Master Plan will be adopted as an ancillary document to the Parks and Recreation Master Plan, which is an ancillary document to the Comprehensive Plan

#### IV. ANALYSIS AND FINDINGS

#### A. Chapter O. Comprehensive Plan Maintenance and Update

Regular Review and Update

Another method of Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider

#### 1. Plan implementation process,

A public involvement process from late Fall 2003 to Spring 2004 was established to gather community input concerning the location, design and priority of development for the numerous phases of the trail system. Chapter IV is prepared a *Recommended Trail Network and Implementation Measures* as part of the plan that will aid in the development, phasing, location, funding sources and maintenance guidelines.

The public hearings for the proposed plan was advertised in the Clackamas Review on June 23, 2004 and mailed to affected agencies, the CIC and Neighborhood Associations on June 18, 2004 indicating that the Planning Commission would hold a public hearing on July 26, 2004 and that the City Commission would hold a public hearing on August 18, 2004. The notice indicated that any interested party may testify at the public hearing or submit written testimony at or prior to the hearing. The Department of Land Conservation and Development was notified as required by ORS 197.610 ~ 197.625. The Planning Manager's report was made available at least seven days prior to the public hearing and the application was processed according to the Legislative Hearing Process as required under Oregon City Municipal Code 17.50.170

2 Adequacy of the Plan to guide land use actions, including an examination of trends. Because there is no plan that addresses the development of a citywide trail system, staff considers the plan as necessary to meet the demands of a growing city to provide alternative and safe transportation and recreational opportunities for the community. The Plan relied on several existing plans, such as the Oregon City Transportation System Plan, Waterfront Master Plan, Downtown Community Plan, Parks and Recreation Master Plan and the Comprehensive Plan and their relevant goals, objectives and policies to help guide the vision and development of the final document. As part of the development of the Plan, project staff analyzed the existing trail system and street network and is intended to hold value for the next 50 to 100 years. By taking a long-term view, it includes projects that may be decades away and are dependent on a series of potentially major changes, which may or may not happen. This long view sets

forth the vision, the implementation of which depends on City and resident leadership and support.

The plan provides an analysis of needed connections to existing recreational facilities, educational institutions, points of interest and commercial areas and the general location of where such routes could occur. The plan aims to develop a comprehensive network of multi-purpose trails that link important pedestrian generators. Through this process, 7 goals and objectives were created to guide in the implementation of the Plan (Page 7 of Exhibit 1). The plan provides a framework for the development of design standards and land use criteria that will need to be added to the Oregon City Municipal Code to implement the plan. The plan provides general route locations, existing trails and facilities, and design standards for trails ranging from urban to rural in nature. The proposed Plan provides an adequate guide for future land use actions and the development of criteria to be utilized in land use actions.

3 Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.

The Parks and Recreation Master Plan indicates that "Approximately 45% of the respondents cited off-street paved trails for bicycling, walking, in-line skating, etc as the preferred type of trail" (Page V-3 of Exhibit 7). The development of the Plan included an assessment of the conditions of the existing bicycling and walking facilities in the city, an evaluation of bicycle and pedestrian needs, such as safety problems, demographics and geographic population and employment demands and facility deficiencies, and field assessments of missing gaps, system deficiencies and trial opportunities. The public involvement component of the development of the plan consisted of four meetings with the Oregon City Technical Advisory Committee, a Visioning Workshop that included 15 stakeholders, information in The Oregonian. The Oregon City News and on the City's website, and two public open houses to gain input about the desires of the community. Meetings were also held with the Park Place Neighborhood Association and several residents of the Canemah neighborhood

Rapid growth and trail accommodation is perhaps the most pressing challenge. The population of Oregon City has increased 75% since 1990, from 14,698 people to 25,754 people. With few exceptions,

development has been radial from the downtown and suburban in nature. As the city continues to grow and subdivide its older, larger, more rural lots into smaller, more suburban lots, it will be critical to integrate trails with the growth patterns before the opportunities are lost. The proposed Trials Master Plan is in response to the needs and desires of the community and considers the changing demographic, economic and development patters of Oregon City.

4 Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies

The proposed plan responds to needs revealed by the trail inventory and analysis for Oregon City and the input provided through the public involvement process. These needs are documented in the Existing Conditions section of the Plan on page 37. Factual information on housing needs and development trends was provided by the 1990 and 2000 US census. The plan also responded to future trails systems and parks that may be developed by Metro in Oregon City and Clackamas County and the designation of Oregon City as a Regional Center. There are five planned regional trails and one existing regional trail in the Oregon City area. The six trails are identified in Metro's Regional Transportation Plan and are eligible for regional funding. Goals and objectives and design standards in support of Metro requirements and factual information are reflected in the plan.

#### V. RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the Oregon City Trails Master Plan included as Exhibit 1 as an ancillary document to the 1999 Parks and Recreation Master Plan to the City Commission for its consideration at the August 18, 2004 hearing.

#### VI. EXHIBITS

- 1 Oregon City Trails Master Plan
- 2 Department of Land Conservation and Development comments
- 3. Director of Community Services comments (On File)
- 4 Oregon City Public Works Department comments (On File)
- 5 Oregon City Engineering Department comments (On File)
- 6. Hazel Grove Neighborhood Association comments (On File)
- 7. Parks and Recreation Master Plan excerpt (Full Report On File)

# OREGON CITY TRAILS MASTER PLAN

# DRAFT















**JUNE 2004** 

Exhibit\_\_\_\_

# OREGON CITY TRAILS MASTER PLAN

# OREGON CITY, OREGON



Prepared for:
City of Oregon City

Prepared by:

Alta Planning + Design Mia Birk, Principal George Hudson, Principal Allison Wildman, Planner

In Association With:

Adolfson Associates
Sarah Hartung

FINAL DRAFT APRIL 30, 2004

Printed on Recycled Content Paper

City of Oregon City P O Box 3040 320 Warner Milne Rd Oregon City, Oregon 97045 (503) 657-0891 www.or-city.org





Atta Planning + Design 144 NE 28th Avenue Portland, Oregon 97232 (503) 230-9862 www.altaplanning.com

#### **ACKNOWLEDGEMENTS**

# OREGON CITY TECHNICAL ADVISORY COMMITTEE

Dee Craig, Director of Parks and Recreation Nancy Kraushaar, City Engineer/Public Works Director Dan Drentlaw, Director of Community Development Jim Row, Recreation and Aquatics Manager Larry Potter, Park Operation and Facilities Manager David Knoll, GIS Coordinator

# VISIONING WORKSHOP PARTICIPANTS

Richard Craven
Shawn Dachtler
Kathy Franco
Thelma Haggenmiller
Jerry Herman
Alison Himmelwitz
Ralph and Lois Kiefer
George and Dianne Kosboth
Doug Neeley
Marcia Sinclair
Sha Spady
Dean Walch
Bill Woods

#### ADDITIONAL THANKS TO ...

Paul Edgar Mel Huie, Metro Parks and Greenspaces Heather Kent, Metro Parks and Greenspaces Jim Morgan, Metro Parks and Greenspaces Dennis Muir Beth Park

For more information or copies of this report, contact:

Dee Craig, Project Manager, (503) 496-1546, dcraig@ci.oregon-city.or.us

# **Table of Contents**

I.	INTRODUCTION	1
	Plan Overview	1
	Vision	
	Plan Scope and Public Involvement	5
	Related Plans and Background Documents	5
	Cin of Oregon City Transportation System Plan (2001)	. 6
	Oregon City Waterfront Master Plan (2002)	6
	Oregon City Downlown Community Plan (1999)	7
	Oregon City Parks and Recreation Master Plan (1999)	
	Goals and Objectives	7
	Goal 1 Trail Development and Regional Connections	. 7
	Goal 2 Access	. 7
	Goal 3 Transit Synergy	. 8
	Goal 4 Community Linkages	8
	Goal 5. Amenities	8
	Goal 6 Maintenance and Emergency Access	8
	Goal 7 Preservation	8
И.	DESIGN GUIDELINES	
	Plan Concept	y
	Regional Trails	
	Community Trails	
	Local Trails	
	Trail Design Types	1.3
	Trail Designs.	. 14
	Regional Trad	
	Community Trail High Volume Roadways	
	Community Trail Moderate Volume Roadways	
	Community Trail Low Volume Roadways	17
	Local Trail City Trail	
	Local Trail Natural Trail.	
	Local Trail: Accessway	: 19
	Innovative Accessways	
	Innovative Roadside Trail Treatments	20
	Filter Strips	
	Swales	21
	Trails and Environmental Regulation/Permitting	22
	City of Oregon City	22
	Clackamas County and a second	. 23
	Oregon State Regulations	2.5
	Federal Regulations	26
	Trail-Roadway Crossings	27
	Basic Crossing Prototypes	27
	Type 1 Unprotected/Marked Crossings	28

	Type 2 Route Users to Existing Intersection	3(
	Type 3 Signalized/Controlled Crossings	30
	Type 4 Grade separated Crossings	. 31
	Trail Features	34
	Developing Trail Themes	35
111.	EXISTING CONDITIONS	37
	Summary of Existing Conditions	37
	Existing Trails	. 39
	Challenges and Opportunities	
	Environmental Conditions of Trail Target Areas	. 45
IV.	RECOMMENDED TRAIL NETWORK AND IMPLEMENTATION MEASURES	49
	Recommended Strategy	49
	Development	49
	Improvement Selection Criteria	50
	Selection Criteria	50
	Project Priorities and Phasing	51
	Estimated Long-Term Costs	62
	Trail Funding Sources	65
	Public Funding for Trails	. 65
	Other Funding Opportunities	65
	Maintenance Guidelines and Costs	67
V.	ADDITIONAL RECOMMENDATIONS	69
	Implementation	69
	New Development	69
	Waterway Trails	69
	Trailheads	
	Signage	
	Education	
	Other Master Plan Processes	
	Safe Routes to School.	
VI.	APPENDIX	73
	Oregon City Trails Visioning Workshop Comments	
	Oregon City Trails Public Open House Comments	

# Figures

Figure 1.	Trail Hierarchy Concept	2
Figure 2.	Oregon City Trail Loop Concept	9
_	Regional Trail	14
Figure 3.	Community Trail on a High-Volume, High-Speed Roadway	15
Figure 4.	Community Trail Option 1 (Shared Use Path with Bike Lanes) on a Fi	ligh-
Figure 5.	Volume, High-Speed Roadway	15
	Community Trail Option 2 (Shared Use Path) on a High-Volume, High-	gh
Figure 6.	Speed Roadway	16
	Community Trail (wide outside lanes) and a Sidewalk	16
Figure 7.	Community Trail (wide outside failes) and a Side wark	17
Figure 8.	Community I rail on a Low Volume, now speed Roadway	17
Figure 9.	Paved City Trail	18
Figure 10.	Earthen Trail	19
Figure 11.	Bicycle and Pedestrian Accessway	20
Figure 12.	Aggregate Filter Strip	20
Figure 13.	Grass Filter Strip	21
Figure 14.	Bio-Swale	30
Figure 15.	Type 2 Roadway Crossing Schematic	30
Til 16	Troilhead information installation examples	14
Figure 17.	Development Patterns from 1900 – 2001 in Oregon City	, 30
Tables		
Table 1.	Trail Design Types and Standards	13
Table 2	Parional Trail Priorities	J I
Table 3.	Lucal Trail Priorities	52
Table 4	Annual Trail Maintenance Costs	04
Table 5	Ferimated Costs for Oregon City's Trail Network: Regional Trails	63
Table 6	Costs for Oregon City's Trail Network: Local Trails	0 2
Table 7.	Public Funding Sources for Bicycle, Pedestrian, and Trail Projects	00
Table 8	Maintenance Tasks and Frequency of Need	6/

# Introduction



# Plan Overview

Trails offer numerous aesthetic and recreational opportunities, as well as commuter options for traveling to and from destinations in Oregon City. Residents who desire to bicycle or walk to work, go for a family bicycle ride to the park, library, or along the Willamette and Clackamas rivers, or experience an undeveloped natural area will benefit from safe, connecting trails. Trails often help raise property values, provide common space for social interactions, improve overall community safety, and encourage healthy lifestyles. They can also improve over-use conditions in sensitive environmental areas when designed properly.

A high-quality trail system is a marker of a community that is truly great to live, work, and play in. The Oregon City Trails Master Plan (referred to as the Plan) uses the term 'trail' to describe shared use paths, multi-use trails, sidewalks, and hiking pedestrian paths designed for non-motorized usage. Sidewalks or paths directly adjacent to roadways are included when they provide a link between trails or between a trail and a destination. Trail users may include but are not limited to: bicyclists, non-motorized scooters, in-line skaters, users of other wheeled devices like Segways or electric assist-bicycles, roller skaters, wheelchair users (both non-motorized and motorized), walkers, runners, and, in some cases, equestrians and non-motorized water activities.

Oregon City has many opportunities to develop a quality trail system. Many of its parks and greenspaces have their own internal trails. Some of them have been formally developed and others have been created by user demand, where people have simply walked and created a path. Many streets in newer developments and older historic core have sidewalks. There are a number of opportunities to create a unique trail system on the Newell Creek Canyon rim and to develop trails as larger plots of land are subdivided into smaller residential areas.

As part of the development of the Plan, project staff analyzed the existing trail system and street network. The Plan recommends improvements that will upgrade the existing system where needed, fill in the missing gaps, and connect to significant environmental features, schools, public facilities, local neighborhoods, and business districts in Oregon City and throughout the region.

This Plan is intended to hold value for the next 50 to 100 years. By taking a long view, it includes projects that may be decades away and are dependent on a series of potentially major changes, which may or may not happen. This long view sets forth the vision, the implementation of which depends on City and resident leadership and support.



Figure 1. Trail Hierarchy Concept

# Vision

The Plan proposes the development of a hierarchical trail system that integrates regional trails, community trails, and local trails (Figure 1) in a series of loops. This hierarchical system of trails—explained in more detail in the Design Guidelines and Recommendations sections—gives community members a wide variety of trail options throughout the city and to other parts of the metropolitan region.

The recommended trail network complements Oregon City's rich indigenous and pioneer history, commerce, and ecology. The trail system will embody these icons of Oregon City as the trails travel along historic pioneer trails and obsolete railways, past livers that have provided food, water, commerce, transportation and power for many generations; and through the varied ecological zones of the plateau hillside. Trails will connect parks, public facilities, open spaces and natural areas, and community centers to richly enhance Oregon City's quality of life. Additionally, the proposed trail system provides a series of loops so that residents can use trails to travel to work, shop, and recreate.

## Emphasizing History

History is an important part of Oregon City and the trail system proposed in this Plan. Many of the existing trails and demand pathways in the area grew out of seasonal hunting and fishing trails, pioneer wagon roads, logging skid roads, abandoned rail lines, wildlife trails accessing water and feeding areas, and along waterways. Before the first hunters and fur trappers arrived in Oregon, the site of Oregon City was the meeting place for a number of native tribes, including the Molallas, Calapooyas, Multiornahs, Teninos, and Chinooks. The natives fished salmon in the waters of the Clackamas and at Willamette Falls (known as Hyas Tyee Tumwater) and traded with one another. In 1815, white settlers came to the area and recognized the potential power generated by the falls. The area became known as Willamette Falls.

Oregon City was settled in 1829 as part of the Hudson Bay Company (HBC) by Dr. John McLoughlin. Oregon became part of U.S. Territory in 1849 and a state in 1859. McLoughlin bought out HBC's claim and platted the lower portion of Oregon City in 1847. Today, Oregon City is recognized as the oldest incorporated city west of the Mississippi.

Oregon City was the official end of the Oregon Trail, a 2000-mile pioneer wagon route forged from Missouri in the 1840's by the prospect of free land and opportunity, because it was the site of the American Provisional Government; anyone who wanted to claim their land had to first visit the claims office. The Barlow Road was the final overland segment of the Trail, linking The Dalles to



"There are here three falls on a line of rocks extending across the river, which forms the bed of the upper channel. The water is precipitated through deep abrazed gorges, and falls perhaps forty feet at an angle of about twenty degrees. It was a beautiful sight when viewed from a distance, but it became grand and almost sublime as we approached it. nearer. I mounted the rocks and stood over the highest fall, and although the roar of the cataract was almost deafening, and the rays of the bright sunreflected from the white and glittering foam threatened to deprive me of sight, yet I became so absorbed in the contemplation of the scene, and the reflections which were involuntarily excited, as to forget every thing else for the time, and was only aroused by Captain W[yeth] tapping me on the shoulder, and teiling me that every thing was arranged for our return "

John Townsend, a scientist who canoed up the Willamette River in 1834, looking at Hyas Tyee Tumwater (Willamette Falls) Oregon City over the southern flanks of Mount Hood. Most of the road has been relocated, removed, or paved over with more modern facilities west of the Cascades, though wagon ruts are still visible in eastern Oregon. Abernethy Green (site of the End of the Oregon Trail Interpretive Center) was a flat area east of the river where proneers could temporarily accommodate their wagons and oxen until they received their land claim. Oregon City claims a number of firsts in the state of Oregon and all areas west of the Rocky Mountains including the first newspaper, location of the first Oregon state capital, library, debate society, jail, and mail delivery service.

It is important to recognize the history of Oregon City in the city's trail system. First, it provides a logical framework for trail corridors and destinations. The Barlow Road, Abernethy Green, Canemah, historic sites in the downtown core, native fishing, hunting, and trading trails, and the Willamette River were all existing travel corridors and destinations at one time and provide numerous trail opportunities. Secondly, residents of Oregon City respect and take pride in their historical roots. The historical theme is one that can be integrated with the trail system to develop a unique trail experience. Lastly, the trail system can help preserve the history of Oregon City. As the city continues to grow and develop, pieces of history are lost under new buildings and parking lots. A trail system can help preserve the rich history and unearth buried pieces of the past.

## Creating Community

The proposed trail system in the Plan will also help deepen residents' understanding of Oregon City's history and culture, promote and offer healthy recreation, transportation, and community-gathering options, boost regional economic growth, and improve community safety.

# Encouraging Environmental Stewardship

The proposed trail system has a significant number of earthen trails for hiking and, in some cases, bicycling and horse tiding. These trails offer excellent opportunities to provide interpretive education and enhance residents' appreciation of the Willamette and Clackamas rivers, Newell Creek Canyon, Canemah Bluff, and other natural resources. The trail system also provides educational opportunities for people of all ages, so that residents and visitors can discover and appreciate the area's rich beauty, both now and into the future.

# Plan Scope and Public Involvement

The Plan followed a series of research, field, and public process activities from late Fall 2003 to late Spring 2004.

# Research activities included:

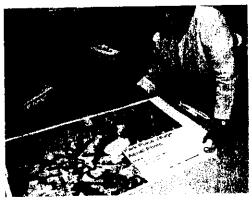
- Assessment of existing bicycling and walking conditions and facilities in Oregon City.
- Evaluation of bicycle and pedestrian needs, such as safety problems, demographic and geographic population and employment demands, and facility deficiencies.
- Field assessment of missing gaps, system deficiencies, and trail opportunities.



Examining frog habitat in Newell Creek Canyon

# Public outreach activities included:

- Four meetings with the Oregon City Technical Advisory Committee, a group with six group representatives (see inside cover.)
- A Visioning Workshop including 15 stakeholders (see inside cover).
- Information in The Oregonian, Oregon City News and on the City's website.
- Two public open houses (3/04 and 5/04).
- Meetings with Park Place Neighborhood Association and development consultant.



Gathering information from knowledgeable residents

· Meeting(s) with Canemah residents.

# Related Plans and Background Documents

A few adopted planning processes have helped guide the vision and development of the Oregon City Trails Master Plan. Below are summaries of the plans and their relevant goals, objectives, and policies:

# City of Oregon City Transportation System Plan (2001)

The Oregon City Transportation System Plan (TSP) reviews the existing conditions of the transportation system, and provides a framework for transportation improvements in the future. The TSP recognizes the importance of multi-modal travel options and strives to improve the bicycle and pedestrian environment over time. The following statements reflect transportation policy goals and objectives from the TSP and the pedestrian system plan:

"Develop and maintain a transportation system that incorporates, provides for, and encourages a variety of multi-modal travel options to meet the mobility needs of all Oregon City residents."

"Provide an interconnected and accessible pedestrian system that links residential areas, major pedestrian generators, employment centers, and the arterial and collector roadway network with one another."

"Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, and the arterial and collector roadway network with one another."

"Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails."

"Improve the safety of vehicular, rail, bicycle, and pedestrian crossings."

"The most important existing pedestrian system needs in the City of Oregon City, as prioritized by the citizens, city staff, and advisory committees involved in the planning process, is the provision of sidewalks on arterials and collectors that provide connectivity to key activity centers (especially schools and transit facilities)."

"Pedestrian amenities such as curb extensions (to reduce the exposed crossing distance that pedestrians must walk), street planters, streetlights (to improve the visibility of pedestrians at night), and wide sidewalks all act as buffers and improve the safety of pedestrians throughout the city."

# Oregon City Waterfront Master Plan (2002)

The Oregon City Waterfront Master Plan presents a vision for the Willamette and Clackamas County waterfronts and how they tie into the historic downtown. The Plan includes several proposed trails that connect under and along Highway 99/McLoughlin Blvd and Interstate 205, and to the End of the Trail Interpretive Center.

"A waterfront trail system will link Clackamette Park to downtown to the south and the restored habitats of Clackamette Cove to the east."

"Primary connections noted by the plan include the enhancement of 17th Street or other viable connections crossing the railroad tracks to promote circulation of tourists and visitors, and exploration of opportunities for pedestrian connections at the new passenger rail depot. In addition, the extension of a trail system north from the restored Clackamette Cove would complete pedestrian connections to the openspaces of Gladstone via the pedestrian river crossing on the Clackamas."

All the second second

# Oregon City Downtown Community Plan (1999)

This Plan provides a vision for the future of the historic waterfront downtown of Oregon City. It provides design guidelines and new code language to protect and enhance the historic core. The Plan also lays out recommendations for better pedestrian facilities on McLoughlin Boulevard and guidelines to promote pedestrian-friendly development.

# Oregon City Parks and Recreation Master Plan (1999)

The Parks and Recreation Master Plan provided a starting point for the Trails Master Plan by identifying several conceptual trail corridors in the plan.

# Goals and Objectives

The Oregon City Trails Master Plan aims to develop a comprehensive network of multi-purpose trails that link important pedestrian generators, environmental features, historic landmarks, public facilities, Town Centers, and businesses districts. The following goals were derived from existing plans and input from Technical Advisory Committee members, Workshop participants, and citizens of Oregon City.

# Goal 1: Trail Development and Regional Connections

Provide a trail system around Oregon City to seamlessly connect regionally significant trails with local trails and ensure that new development and subdivisions connect to this system. Establish and enhance regional trail connections to the adjacent communities of Gladstone, West Linn, unincorporated Clackamas County and the greater Portland metropolitan region.

#### Goal 2: Access

Develop a trail system for people of all abilities, pedestrians, bicyclists, equestrians, boaters, and other non-motorized trail users. Create a complementary system of on-road bicycle routes for commuter, recreational, and touring enthusiasts using scenic, collector, and local road rights-of-way and alignments through Oregon City and the surrounding unincorporated areas.

# Goal 3: Transit Synergy

Ensure that the trail system connects with current and future planned transit operations in Oregon City, and is designed to be complementary with transit and transportation systems.

# Goal 4: Community Linkages

Link trails to residential neighborhoods, community facilities like the library and city hall, parks, schools, athletic facilities, swimming pools, historic districts, the downtown, as well as other commercial and retail activity centers in Oregon City.

### Goal 5: Amenities

Locate trailheads at or in conjunction with park sites, schools, and other community facilities to increase local access to the trail system and reduce duplication of supporting improvements. Furnish trail systems with trailhead improvements that include interpretive and directional signage systems, benches, drinking fountains, restrooms, parking and staging areas, and other services.

# Goal 6: Maintenance and Emergency Access

Develop trail design and development standards that are easy to maintain and access by maintenance, security, and emergency vehicles.

#### Goal 7: Preservation

- Provide trail access to and preserve view corridors and viewsheds at vantage points.
- Preserve existing public rights-of-way and other easements for future trails and accessways, particularly powerline and utility corridors.
- Preserve sensitive natural areas by designing and planning trails so that
  the natural area can be experienced without impacting or degrading the
  environment.

# Plan Concept

The Trails Master Plan uses the trail hierarchy concept (Figure 1, on page 2) to create a series of interconnected loops throughout the city (Figure 2). This concept enables trail users to connect to most destinations on a variety of trails; from earthen walking trails to sidewalks and bicycle lanes to paved shared use paths. The loop concept also allows recreational trail users to create personal loops, depending on how long or far they wish to travel.

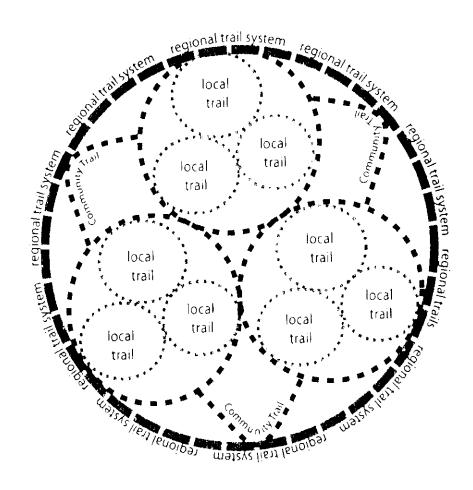


Figure 2. Oregon City Trail Loop Concept

# The Oregon City Loop Trail

Most of the regional trails planned by Metro take advantage of established rights of way, like historic interorban train lines, utility corridors, waterways and greenways, providing a continuous, off-street travel experience.

The Oregon City Loop Trail in part utilizes an old Willametre Valley Southern Railway line that carried passengers and wood products through Newell Creek Canyon to Molalla and Mount Angel from 1915 to 1938

Southern portions of the Oregon City Loop Trail take on a different character as it travels around Oregon City through parks, future subdivisions, and on local roadways



Douglas Fir trees have grown on the edges of the railroad berm in Newell Creek Canyon



Meyers Road would be an important segment for the southern portion of the Oregon City Loop Trail

# Regional Trails

Regional trails connect Oregon City to adjacent communities – Gladstone, West Linn, unincorporated Clackamas County, and the greater Portland metropolitan region – and to regionally significant features such as the Willamette and Clackamas Rivers, Beaver Lake, and the historic Barlow Road. There are five planned regional trails and one existing regional trail in the Oregon City area. The following proposed trails are in Metro's Regional Transportation Plan (RTP) and are eligible for regional funding.

- Oregon City Loop Trail, which would create a loop around Oregon City, utilizing the east side of the Newell Creek Canyon and linking to the Beaver Lake Trail.
- Beaver Lake Trail, as part of the Oregon City Loop Trail, would begin at the End of the Oregon Trail Center and travel on the east side of Newell Creek Canyon to Beaver Lake.
- Oregon Trail-Barlow Road Trail, which would roughly follow the pioneer wagon trail created by Sam Barlow from the End of the Oregon Trail Center to the Cascades.
- Willamette Greenway Trail, which would follow the Willamette River from Clackamette Park in Oregon City to Canby.
- Trolley Trail Bridge, which crosses the Clackamas River from Gladstone.
- Clackamas River Water Trail, where amenities like boat ramps, interpretation sites, and information would be provided for non-motorized boat users.

The I-205 Corridor Trail, which is a major north-south connection for non-motorized users, is the only existing regional trail in the city. The I-205 Corridor Trail ends on the Oregon City Bridge and utilizes existing roadways, pathways, and sidewalks through Oregon City.

Regional trails generally have their own right-of-way. Users should have minimal conflict with automobile traffic. These trails must be designed to meet the Americans with Disabilities Act (ADA) standards, American Association of State Highway and Transportation Officials (AASHTO) and the Manual on Uniform

Traffic Control Devices (MUTCD) standards, Oregon Department of Transportation (ODOT) standards and other State and Federal guidelines. Regional trails serve bicyclists, pedestrians, wheelchair users, skaters, and others.

# Community Trails

Community trails link important Oregon City land uses and areas of interest, including retail areas, schools, parks, transit centers, churches, employment districts, libraries, and other desirable areas. They also connect users to adjacent communities and the regional trail system.

The designs of community trails vary according to the functional classification of the facility as well as the average daily traffic (ADT) on the adjacent roadway. Most community trails in Oregon City are either off-street shared use paths or separate facilities (i.e., a sidewalk or pathway for pedestrians and on-street bike lanes for bicyclists) that meet State and Federal standards. Safety for bicyclists and pedestrians on these routes is paramount, as they often parallel or intersect busy roadways. However, some community trails follow neighborhood streets, in which case pedestrians are accommodated with a sidewalk or shared use path and bicyclists share the roadway with vehicles. The majority of community trails are on arterial and collector streets and will be implemented when the roadway is widened or improved.

# Local Trails

Local trails primarily serve pedestrians with safe and direct connections to and within local features, such as schools, parks, natural areas, waterways, and community centers. Some local trails may also be appropriate for bicycling, skating, and equestrians. There are three categories of local trails: City Trails, Natural Trails and Accessways.



# City Trails

City trails are typically paved or made of a smooth surface to accommodate most trail users. These trails are typically found in developed parks and recreational areas, like Hillendale Park and Singer Creek Park. Some city trails may not be able to maintain a 5% grade to accommodate disabled users due to topographical constraints (steep grades, constrained widths, etc.). At least one trail in the park should be should be constructed to ADA standards to provide for all trail users.



#### Natural Trails

Natural trails are soft-surface trails typically found in undeveloped parks and natural areas and aim to provide a natural outdoor experience. These trails are usually for pedestrians only, but some trails could be open to mountain bikes and/or equestrians. Most of the trails in Newell Creek Canyon and on Canemah Bluff will be of this variety.



Oregon City accessway



Wooden stairway

## Accessways

Accessways are specifically defined by Oregon City code (OCC §12.24.020) as being "any off-street path or way which is intended for the primary use of pedestrians and bicyclists and which provides direct routes between residential areas, retail and office areas, institutional facilities, industrial parks, transit streets, neighborhood activity centers, and transit oriented developments where such routes are not otherwise provided by the street system." These routes are intended to provide safe, direct, and convenient connections to reduce out-of-direction travel and make walking and bicycling easier.

Accessways can also be unique. They can be stairs, an elevator, bridge, alley or passage connecting gardens, courtyards, or other urban spaces. Oregon City has a number of opportunities to use different types of accessways, particularly in the historic downtown area and to connect the various levels of the city.



#### Waterway Trails

Waterway trails are water corridors dedicated to no wake water activities augmented with special features, like small craft boat ramps, interpretive areas, and public beach sites for camping and picnicking. The intent of the water trail is to create awareness, preserve public access to the waterway, and provide a natural experience.

# il Design Types

The following table provides a quick reference chart for the various types of trails and the accepted standards

	Regional Trail	Сотти	Community Trall		Local Trail	Trail	
		On-street	Oiff-street	Cıty Trail	Natural Trail	Accessway	sway
Facility Type		Sidewalk/pathway			v		Stairs, elevator,
odf finan	Shared use path	Bicycle lane	Shared use path	Shared use path	Soft surface trail	Shared use path	incline, bridge,
		Shared roadway					alley, etc
Users	bicyclists	bicyclists	bicyclists	bicyclists	bicyclists."	bicyclists	
	pedestrians	pedestrians	pedestrians	pedestrians	pedestrians	pedestnans	
	wheelchairs	wheelchairs	wheelchairs	wheelchairs***		wheelchairs	depends on facility
	baby strollers	baby strollers	baby strollers	baby strollers		baby strollers	type
	equestrians		equestrians	equestrians	equestrians	equestrians	
	skalers	skaters	skaters*	skaters****		skalers	
Width	10, 15,	5' - 12' sidewalk				.,	21 (00) 00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
			8' - 12'	6 - 12	2' - 12'	4' shoulders	uepends on tacinity
	2 soft shoulders	5' · 6' bicycle lanes				5' in greenways	1ype
Surface	Paved or other smooth-rolling surface	Concrete	Paved or other smooth-	Paved or other smooth-rolling	Earth, gravel, wood- shavers, or other	Concrete	denends on facility
	to accommodate ali trail users	Asphalt	accommodate all trail	surface to accommodate all trail users	soft surface material	Gravel in greenways	

<sup>\*</sup> Depends upon chosen trail surface -- inline skates and skateboards will not roll well on surfaces other than asphalt or concrete

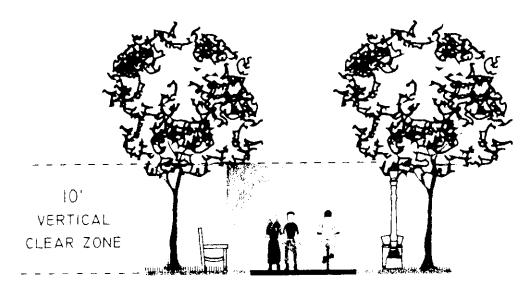
Trail Design Types and Standards Table 1.

Mountain bikes, if allowed

<sup>···</sup> Paved park trails may still be too steep to safely accommodate wheelchair and other disabled users. ···· Depends upon chosen trail surface ·· inline skates and skateboards wif not roll well on surfaces other than asphalt or concrete

# Trail Designs

The following cross sections illustrate standard treatments for the primary trail design opportunities in Oregon City. There are also a few innovative designs, like swales (shallow, wide depressions adiacent to roadways and trails that collect stormwater runoff) and other "green street" concepts, that can be used in some situations. This section should be supplemented with other trail design documents, including ODOT's Bicycle and Pedestrian Master Plan, Metro's "Green Trails: Guidelines for Building Environmentally Friendly Trails," AASHTO, and the MUTCD.



2' 10'-12' 2'

Figure 3. Regional Trail

# Regional Trail

Figure 3 illustrates a typical shared use path design that is appropriate for regional trails and some community trails. This trail is designed to accommodate two-way bicycle and pedestrian traffic, typically has its own right-of-way, and can accommodate maintenance and emergency vehicles. This type of trail is typically paved (asphalt or concrete) but can also be a surface that provides a smooth surface, as long as it meets ADA requirements. Wider soft shoulders should be provided for equestrians and runner/joggers if space allows.

# Community Trail: High Volume Roadways

On roadways with 3,000 or more vehicles a day, bicycle lanes should be used to improve bicyclist safety and comfort. A buffer or curb must separate the shared use path or sidewalk from the roadway for pedestrian safety. The width of the bicycle lane, buffer, and sidewalk or path should appropriately reflect the volume and speed of the vehicles using the roadway. Roadways with higher traffic volumes and speeds should have wider bicycle and pedestrian facilities or greater separation.

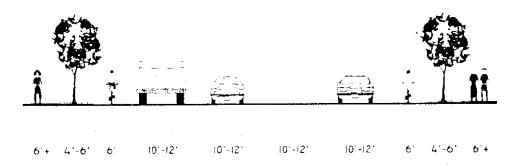


Figure 4. Community Trail on a High-Volume, High-Speed Roadway

Figure 4 illustrates typical bicycle and pedestrian trail accommodation in urbanized areas. The width of the sidewalk should depend on anticipated use, more users warrant a wider walkway. Sidewalks should be a minimum of 6' with a 4' minimum planter or 6' minimum tree well. Bicycle lanes should be 5' to 6'; 4' minimum is allowed under certain circumstances.

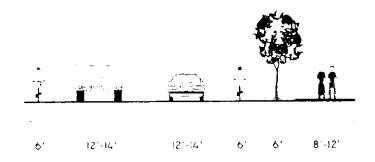


Figure 5. Community Trail Option 1 (Shared Use Path with Bike Lanes) on a High-Volume, High-Speed Roadway

Some arterials and major collectors can accommodate a shared use path on one side of the roadway and on-street bicycle lanes for commuter bicyclists (Figure 5). The shared use path provides a comfortable walking space for pedestrians and enables children and recreational bicyclists to ride without the discomfort of riding in a busy street. This configuration works best along roadways with limited driveway crossings and with services primarily located on one side of the roadway.

Sometimes a shared use path can provide trail accommodation on high-volume, high speed roadways (Figure 6). This type of trail works best in corndors where there are limited driveway/intersection crossings and few desirable destinations on the side of the roadway without the trail, like along Highway 213 or along local roadways with access management and minimal driveway use. The trail should be at least 8' wide (preferable 12') with a 6' or greater vegetated buffer.

Note: This treatment should be used only after a detailed analysis of the corridor has been conducted by a registered engineer. Driveway/uncontrolled intersection crossings should not exceed 4 for each quarter mile.

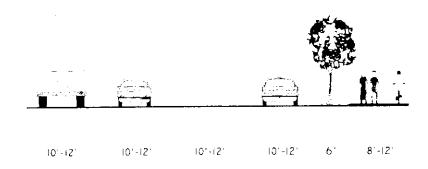


Figure 6. Community Trail Option 2 (Shared Use Path) on a High-Volume, High Speed Roadway

# Community Trail: Moderate Volume Roadways

Some urban roadways can accommodate bicyclists with a wide outside travel lane if there is no shoulder or insufficient space for a bicycle lane. The lane should be wider on roadways with steep grades where bicyclists need more maneuvering space. If space is constrained, the wider lane should be provided on the uphill side of the roadway.

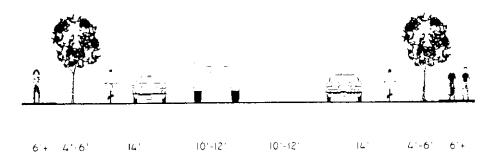


Figure 7. Community Trail (wide outside lanes) and a Sidewalk

# Community Trail: Low Volume Roadways

On a low volume, low speed roadway (i.e., residential or neighborhood streets), many bicyclists can safely share the road with vehicles. Pedestrians should be separated from the roadway with a buffer or a curb. A curb must be present if there is insufficient space for a buffer. The width of the sidewalk or trail should depend on the traffic volume and speeds of the adjacent roadway.

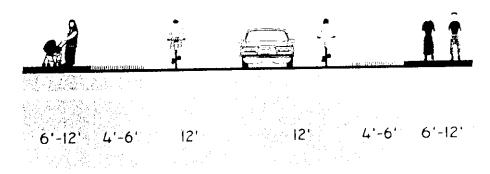
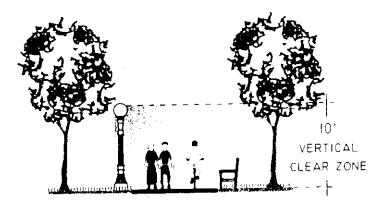


Figure 8. Community Trail on a Low Volume, Low Speed Roadway

# Local Trail: City Trail

City trails provide access for most, if not all, trail users within neighborhoods, parks, greenspaces, and other recreational areas. They are similar to regional trails in that they typically have their own right-of-way and serve only non-motorized users. These trails should be at least 6' wide and at least 8' wide if bicycle use is anticipated. All efforts should be made so that at least one ADA accessible trail is available and serves the most desirable parts of the area (i.e., picnic areas, viewpoints, playground equipment, etc.)



6'-12'

Figure 9. Paved City Trail

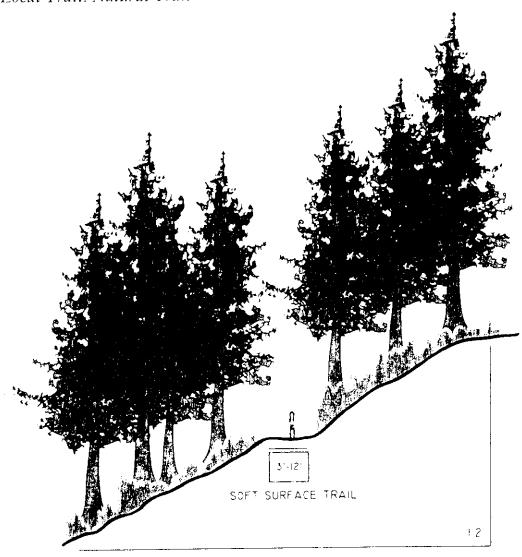


Figure 10. Natural Trail

Natural trails are usually considered when a trail is desired next to a natural resource. Trail width will vary depending on the existing topographic and environmental conditions. Natural trails should take into account issues like drainage, crosson, compaction/impaction from anucipated use, presence of waterways and sensitive riparian areas, habitat areas, environmental guidelines, such as "Green Trails". Guidelines for Environmentally Friendly Trails" by Metro, and regulations, like Oregon City's code for trails in water quality resource areas.

Trail width will depend on intended users. For example, narrower widths should be used in environmentally constrained areas with only hiking uses intended. Wider widths are desirable for shared bicycle and/or equestrian use. Areas with natural trails (i.e., natural parks and greenspaces) should have a complimentary accessible route that meets or exceeds ADA standards in addition to the natural trails.

# Local Trail: Accessway

Accessways provide direct connections for trail users to schools, parks, community centers, retail areas, neighborhoods, and other trails. They are intended to be short, direct connections to reduce unnecessary out-of-direction travel for bicyclists and pedestrians. Oregon City Code (§12.24.040) requires accessways to have a 15' right-of-way with a centered 7' wide paved surface and two 4' planter strips. The City encourages the use of pervious surface materials, like pervious concrete and interlocking pavers. The accessway should not exceed 5% slope to accommodate all users. Accessways in parks, greenways, or other natural resource areas may have a 5' wide gravel path with wooden, brick or concrete edgings.

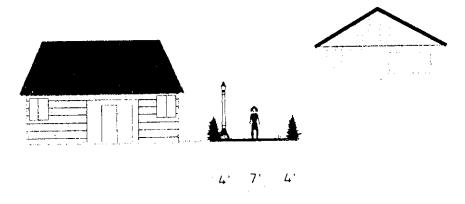


Figure 11. Bicycle and Pedestrian Accessway

# Innovative Accessways

There are also other innovative ways to provide direct access, particularly in topographically constrained areas (i.e., on steep hills, over waterways, etc.) Stairs, alleyways, bridges, and elevators can provide quick and direct connections throughout the city and can be designed so they are safe, inviting, and accessible to most trail users. For example, stairways can have wheel gutters so that bicyclists can easily roll their bicycles up and down the incline and boardwalks can provide access through sensitive wet areas and across small waterways.



Bicycle wheel gutters on stairs



Boardwalk bridge

# Innovative Roadside Trail Treatments

Filter strips and bio-swales are innovative ways to retain and treat stormwater from impervious surfaces and work well with roadside trails. The design guidelines for filter strips and swales are similar; both methods use grassy vegetation or aggregate to remove sediment from stormwater runoff. Use of filter strips and swales can be limited in retrofit situations due to slope, soil, and right-of-way conditions. Existing underground utility conflicts may increase cost and complexity.

# Filter Strips

Filter strips (Figures 12 and 13) are gently sloped grassy and aggregate areas that are used to treat small quantities of sheet flow runoff. They are often used to pretreat stormwater flow of minimal depth (.5 inches) as it passes from an impervious area, like a parking lot or roadway, into a swale or infiltration area. Sidewalk width illustrated is a minimum.

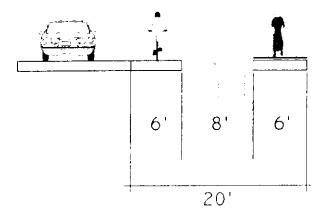


Figure 12. Aggregate Filter Strip

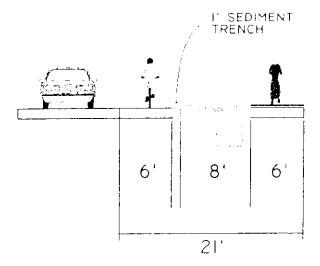


Figure 13. Grass Filter Strip

# Swales

Swales (Figure 14) are shallow, wide depressions adjacent to roadways and trails that collect stormwater runoff over vegetation to slowly settle sediments and particulate matter. The pollutants are filtered out, settled, or removed by plants, causing fewer pollutants to enter ecologically sensitive water bodies. For more information and further design guidelines for swales and other Green Street concepts, consult Metro's "Green Streets" guidebook.

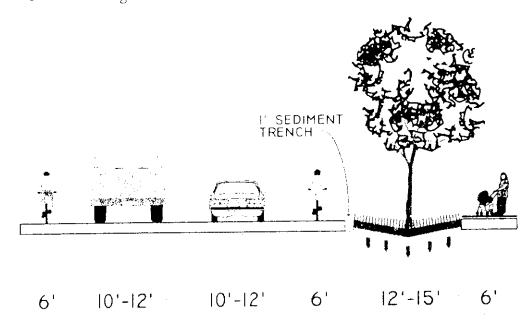


Figure 14. Bio-Swale



Bio-Swale

	2.7 4	le Guidelines Green Streets")	
-	Optimal Length	200-250	
	Slope of sides (optimal)	1% - 2%	
	Slope of sides (m:nimum, max:mum)	1%, 6%	
	Optima: water depth	3 inches	
	Optimal width	12 ft	

# Trails and Environmental Regulation/Permitting

# City of Oregon City

## Water Quality Resource Areas

The City of Oregon City regulates development in Water Quality Resource Areas (WQRAs) that are delineated in the Oregon City Local Wetland Inventory (LWI), and on the Water Quality and Flood Management Areas Map. The general locations of streams, riparian areas and wetlands were verified in the field as part of the LWI, but the precise boundaries of WQRAs would need to be field delineated, flagged and surveyed prior to trail construction. Water Quality Resource Areas include the protected water feature (e.g. stream, wetland) and the associated vegetated corridor. The width of the vegetated corridor around the water resource depends on slope or designation as an anadromous fish-bearing stream (Ch. 17.49 050). WQRAs with steep slopes have a wider protected corridor than streams with more moderate or no slopes. The vegetated corridor is measured as the horizontal distance from either the two year flood elevation or from one foot above (vertically) the Ordinary High Water Mark (a distinct mark in the soil or vegetation from normal water action).

Streams considered anadromous fish-bearing streams have a 200-foot vegetated corridor. The City relies on information from the Oregon Department of Fish and Wildlife (ODFW) for determining which streams are anadromous fish-bearing streams.

## Trails in Water Quality Resource Areas

Proposed walkways and shared use paths are considered provisional uses within Water Quality Resource. Areas and are subject to the application and development standards of Ch. 17.49 050 G and H(5). In general, setbacks will be required for trail development to protect the integrity of the water resource. Walkways and bike paths, either earthen or paved, should not be within 10 feet of the protected water feature. Where practicable, no more than 50 percent of earthen trails and no more than 25 percent of paved trails should occur between 30 and 10 feet of the protected water feature. A maximum trail width of 12 feet is recommended.

As an important note, the Oregon City Trails Master Plan process allows flexibility in the design and location of trails in situations where development criteria cannot be met. This should be kept in mind for areas where setback requirements or other criteria are difficult to achieve.

#### Grading and Clearing

Any grading or clearing within the Water Quality Resource Area will require mitigation. Mitigation for paved trails in WQRAs will likely require mitigation at a 1:1 ratio. For example, if a paved trail removes 50 square feet of vegetation, then 50 square feet must be added to the vegetated corridor. The City of Oregon City is open to considering "pre-mitigation" - mitigation completed before impacts occur as a means of reducing mitigation requirements (Tony Konkol, Oregon City, 2004)

Mitigation requirements are flexible and are determined on a case-by-case basis. Mitigation requirements will also vary slightly according to the quality of the Water Resource Area (See Table 17.49-2 in the Water Resources Overlay District). Mitigation should occur on-site and generally consists of installing native plants, removing non-native invasive plant species, removing debris, and seeding bare soil. Trail development that impacts the protected water feature (but not the vegetated corridor) will require concurrent review with the Department of State Lands (DSL).

Stormwater treatment may be required for paved trails in WQRAs. The City will need specific details on the design, materials, and location of proposed trails to determine the applicability of stormwater treatment (Tony Konkol, Oregon City, 2004).

#### Floodplain Management

Trail development in floodplain areas (near Clackamas Cove or Abernethy Creek) will require review under the floodplain management areas district. Trail projects will require balanced cut and fill within the 100-year floodplain or extent of the 1996 flood.

### Steep Slopes

The City of Oregon City regulates development in areas with unstable soils and hillside constraints. Areas with steep slopes are identified on a slope map available at the planning department. In general, trail development should avoid areas with slopes greater than 35 percent to the maximum extent practicable, however, trail development in such areas may be allowed if the applicant can demonstrate that erosion or landslides will not occur. Trail development proposed on hillsides with slopes greater than 25 percent (or in areas prone to landslides) will require review by the City. Application materials will likely include: grading plan, a soil erosion control plan, a description of existing topography and soil characteristics, engineering geology report, and hydrology report. The reviewing engineer may waive some requirements depending on project details (Tony Konkol, Oregon City, 2004). The Master Plan process will provide the opportunity to clarify the required application materials for steep slope areas.

# Clackamas County

#### River and Stream Conservation Areas

Clackamas County regulates development in River and Stream Conservation Areas (RSCA) (Section 704, special district). RSCAs are the protective corridor around streams and vary according to size of the stream. The stream conservation area is measured at a horizontal distance from the mean high water line and is 100 feet for large streams (Abernethy Creek), 70 feet for medium streams (Newell Creek), and 50 feet for small streams (tributaries to Beaver Creek). The size classification of streams is identified on Water Protection Rule Classification Maps available at the county planning office.

The RSCA special district requires setbacks for structures, but does not specify setbacks for recreational trails. The County is willing to consider trails an allowable use within RSCAs (Greg Fritts, Clackamas County, 2004), but more discussion with the County is needed to establish development standards and potential mitigation for trails in stream conservation areas. Proposed trail development will need to meet the objective of protecting the natural condition of the stream corridor.

#### Conservation Wetland District

Based on National Wetland Inventory mapping, weiland areas do not appear to overlap with proposed trail alignments in Clackamas County (USFWS, 1981). Most of the wet areas identified on NWI mapping are perential and internuttent streams, or wetlands strictly associated with these drainages. Because an in-depth field review of potential wetland areas was not conducted, there may be wetlands not identified on NWI mapping that occur in areas where trails are proposed.

Alterations, developments, and enhancements proposed in wetland areas would require review by Clackamas County, and permitting by DSL and/or the U.S. Army Corps of Engineers (Corps). Proposed activities within wetland buffers (25 feet of the wetland boundary) will require review and approval by the County. The DSL and the Corps do not regulate activities in wetland buffers. According to the Conservation Wetland District regulations, "Public trails and boardwalks may be constructed within buffer areas when consistent with a North Clackamas Parks and Recreation District or other adopted local government Plan" (Section 705.05). Compensatory mutgation may be required depending on the disturbance to the wetland and the buffer area. Mitigation may include enhancing or creating wedland areas. Areas disturbed for trail development will need to be revegetated with approved plant species.

#### Floodplain Management District

Clackamas County regulates uses in the 100-year floodplain. "Hiking and horseback riding trails" are permitted uses within the 100-year floodplain; however, filling, grading, and paving of trails within the 100-year floodplain (e.g. adjacent to Abernethy Creek) will require development review under the floodplain management district. Trail development will likely be required to achieve balanced removal and fill within the floodplain. Mitigation requirements are not specified in the text of the floodplain management district.

#### Stormwater Drainage

Clackamas County requires storm drainage and erosion control for all "significant residential, commercial, industrial and recreational development" (Section 1008, Zoning and Development Ordinance). The County does not, however, have specific requirements for treating stormwater from trail surfaces. Stormwater treatment requirements will need to be clarified with the County during development review.

#### Steep Slopes

Clackamas County regulates development on steep slopes and unstable soils. The development standards (Section 1003) require an engineering geologic study for areas

with slopes greater than 20 percent, however, this may be waived for trail development depending on project details. Trail development standards and potential mitigation requirements on steep slopes should be clarified with the County during development review.

#### Oregon State Regulations

Proposed trail construction that requires the fill or removal of more than 50 cubic yards of material in Waters of the State (i.e. streams and wetlands) will require a permit from the Department of State Lands (DSL). Waters of the State are defined as "natural waterways including all tidal and nontidal bays, intermittent streams, constantly flowing streams, lakes, wetlands and other bodies of water in this state, navigable and nonnavigable, including that portion of the Pacific Ocean that is in the boundaries of this state." For streams that are designated "essential salmon habitat" by DSL, a permit is required if any fill or removal is proposed within the Ordinary High Water Mark (OHWM). Streams with essential salmon habitat include Abernethy Creek, Newell Creek, and lower Livesay Creek (near its confluence with Abernethy Creek) (DSL, 2004).

The project would most likely qualify for a General Authorization (GA) permit from DSL for all the proposed stream crossings (Steve Morrow, DSL, 2004). A GA is a streamlined permit that is processed within 40 days of a technically complete application and does not require a permit fee. All stream crossings for the project should be reviewed under one permit application. The GA would be for certain transportation related structures (OAR 141-089-0170) which allows the fill or removal of up to 5,000 cubic yards in waters of the state or the fill of up to 0.5 acres of wetland for the construction of new bicycle, pedestrian or other lanes or trails.

If more than 5,000 cubic yards of fill/removal or more than 0.5 acres of wetland fill/removal are proposed, then the project would require an individual permit from DSL. The individual permit process is similar to a GA permit, but it takes longer to process and includes an application fee.

Compensatory mitigation would be required for both a GA permit or an individual permit from DSL. For non-wetland waters, there are no standardized mitigation ratios. Mitigation is established on a case-by-case basis for impacts to non-wetland waters of the state but may include planting native vegetation, day-lighting a portion of a stream, removing a culvert, or improving fish habitat. Pre-mitigation is not recognized by DSL as a means to reduce mitigation requirements.

Stream crossings requiring work below the OHWM would be reviewed by the Oregon Department of Fish and Wildlife (ODFW) as part of the DSL permit process and would be subject to in-water work guidelines. Work below ordinary high water of Abernethy Creek and its tributaries would need to be completed between July 15 and September 30 to protect Coho salmon, winter steelhead, and cutthroat trout (ODFW, 2000). A variance can be requested for conducting work outside of the approved window, but the applicant will need to propose additional

mitigation measures or complete field surveys to determine if protected fish and or habitat are present.

If stream crossings can be completed without any fill or removal in wetlands or below the ordinary high water mark of streams, or without any in-water work, then the project will not need a permit from DSL or concurrent review by the ODFW.

# Federal Regulations

At this tune, both the DSL and the Corps have jurisdiction over proposed activities in wetlands and a permit application would need to be submitted to both agencies. The application form is the same for both agencies and is available on-line. The Corps, however, does not regulate "isolated" wetlands as of 2002. The Corps and DSL are in the process of dividing jurisdiction over wetlands that may take effect as early as fall of 2004 (Larry Devroy, DSL, 2004).

Proposed trail development that requires fill in Waters of the U.S. (e.g. wetlands) will require review and permitting by the Corps. Depending on the amount of fill proposed (if less than 0.25 or 0.5 acres), the project may quality for a Nationwide Permit, a programmatic permit. If impacts are greater than 0.5 acres, then an individual permit and alternatives analysis would be required. The issuance of a federal permit will likely require informal consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NOAA Fisheries) under Section 7 of the Endangered Species Act. Section 7 informal consultation with the agencies would also be required if federal funding or an equivalent federal nexus is necessary to construct the proposed trails.

# Trail-Roadway Crossings

Like most trails in built urban areas, Oregon City's trails must cross roadways at certain points. These roadway crossings may be designed at a below-, or above-grade. At grade crossings create a potentially high level of conflict between trail users and motorists. However, well-designed crossings have not historically posed a safety problem, as evidenced by the thousands of successful trails around the United States with at grade crossings. Designing safe grade crossings is a key to safe implementation of this Plan.

Trail-roadway crossings should comply with the AASHTO, ODOT, and MUTCD standards.

In some cases, a required trail crossing may be so dangerous or expensive (e.g., to build an undercrossing or undercrossing) as to affect the feasibility of the entire alignment. However, in most cases, trail crossings can be properly designed at grade to a reasonable degree of safety and to meet existing traffic and safety standards.

Evaluation of trail crossings involves analysis of vehicular and trail user traffic pattern, including speeds, street width, traffic volumes (average daily traffic, peak hour traffic), line of sight, and trail user profile (age distribution, destinations). This plan identifies the most appropriate crossing options given available information, which must be verified and/or refined through the actual engineering and construction document stage.

# Basic Crossing Prototypes

The proposed intersection approach in this plan is based on established standards, published technical reports, and the experiences from existing facilities. Virtually all crossings fit into one of four basic categories:

- Type 1. Unprotected/Marked
  Unprotected/marked crossings include trail crossings of residential, collector, and sometimes major arterial streets or railroad tracks.
- Type 2: Route Users to Existing Intersection

  Trails that emerge near existing intersections may be routed to these locations, provided that sufficient protection is provided at the existing intersection.
- Type 3: Signalized/Controlled
   Trail crossings that require signals or other control measures due to traffic volumes, speeds, and trail usage.
- Type 4: Grade-separated

  Bridges or undercrossings provide the maximum level of safety but also generally are the most expensive and have right-of-way, maintenance, and other public safety considerations.

# Type 1: Unprotected/Marked Crossings

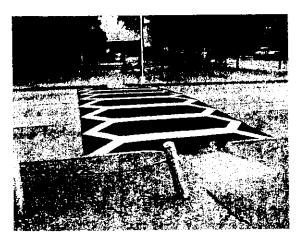
An unprotected crossing (Type 1) consists of a crosswalk, signing and often no other devices to slow or stop traffic. The approach to designing crossings at mid-block locations depends on an evaluation of vehicular traffic, line of sight, trail traffic, use patterns, vehicle speed, road type and width and other safety issues such as the proximity of schools. The following thresholds outlined recommend where unprotected crossings may be acceptable:

- Install crosswalks at all trail-roadway crossings
- Maximum traffic volumes:
  - $_{0} \le 9,000 15,000 ADT$
  - o up to 15,000 ADT on two-lane roads, preferably with a median.
  - o up to 12,000 ADT on four-lane roads with median.
- Maximum travel speed
  - o 35 mi/h
- Minimum line of sight:
  - o 25 mi/h zone. 155 feet
  - o 35 mi/h zone: 250 feet
  - o 45 mi/h zone: 360 feet

On two lane residential and collector roads below 15,000 ADT with average vehicle speeds of 35 mi/h or less, crosswalks and waining signs ("Bike Xing") should be provided to warn motorists, stop signs and slowing techniques (bollards/geometry) should be used on the trail approach. Care should be taken to keep vegetation and other obstacles out of the sight line for motorists and trail users. Engineering studies should be done to determine the appropriate level of traffic control and design.



Type 1 Crossing



Raised Crosswalk

On roadways with low to moderate volumes of traffic (< 12,000 ADT) and a need to control traffic speeds, a raised crosswalk may be the most appropriate crossing design to improve pedestrian visibility and safety

The crosswalks are raised 150 mm above the roadway pavement, similar to speed humps, to an elevation that matches the adjacent sidewalk. The top of the crosswalk is flat and typically made of asphalt, patterned concrete, or brick pavers. Brick or unit pavers should be discouraged because of potential problems related to pedestrians, bicycles and ADA requirements for a continuous, smooth,

vibration-free surface. Tactile treatments are needed at the sidewalk/street boundary so that visually impaired pedestrians can identify the edge of the street. Costs can range from \$5,000 to \$20,000 per crosswalk, depending on the width of the street, the drainage improvements affected, and the materials used for construction.

A flashing yellow beacon costing between \$15,000 and \$30,000, may be used, preferably one that is activated by the trail user rather than operating continuously. Some jurisdictions have successfully used a flashing beacon activated by motion detectors on the trail, triggering the beacon as trail users approach the intersection. This equipment, while slightly more expensive, helps keep motorists alert.

Crossings of higher volume arterials over 15,000 ADT may be unprotected in some circumstances – for example, if they have 85th percentile speeds of 30 mi/h or less and have only two lanes of traffic. Such crossings would not be appropriate, however, if a significant number of school children used the trail.

#### Type 2: Route Users to Existing Intersection

Crossings within 250 feet of an existing signalized intersection with pedestrian crosswalks are typically diverted to the signalized intersection for safety purposes. For this option to be effective, barriers and signing may be needed to direct trail users to the signalized crossings. In most cases, signal modifications would be made to add pedestrian detection and to comply with the ADA. In many cases, such as on most community trails parallel to roadways, crossings are simply part of the existing intersection and are not a significant problem for trail users.

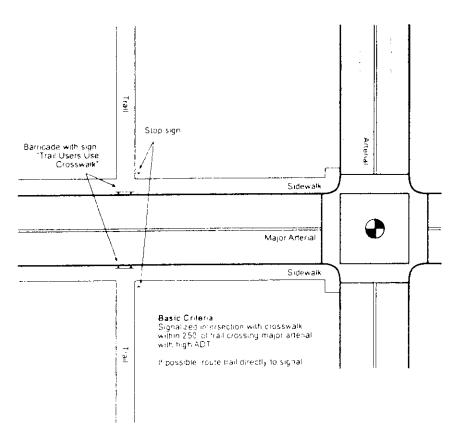


Figure 15. Type 2 Roadway Crossing Schematic

# Type 3: Signalized/Controlled Crossings

New signalized crossings are recommended for crossings more than 250 feet from an existing signalized intersection and where 85th percentile travel speeds are 40 mi/h and above and/or ADT exceeds 15,000 vehicles. Each crossing, regardless of traffic speed or volume, requires additional review by a registered engineer to identify sight lines, potential impacts on traffic progression, timing with adjacent signals, capacity and safety.

Trail signals are normally activated by push buttons, but also may be triggered by motion detectors. The maximum delay for activation of the signal should be two minutes, with minimum crossing times determined by the width of the street. The

signals may rest on flashing yellow or green for motorists when not activated, and should be supplemented by standard advanced warning signs. Typical costs for a signalized crossing range from \$150,000 to \$250,000.

# Type 4: Grade-separated Crossings

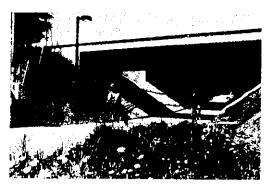
Practically all the crossings needed for this Plan can and should be accommodated at-grade. In one location, (crossing McLoughlin from the top of the Bluff), a Type 4, gradeseparated crossing will likely be needed.

Grade-separated crossings may be needed where ADT exceeds 25,000 vehicles, and 85th percentile speeds exceed 45 mi/h. Safety is a major concern with both overcrossings and undercrossings. In both cases, trail users may be temporarily out of sight from public view and may have poor visibility themselves. Undercrossings, like parking garages, have the reputation of being places where crimes occur. Most crime on trails, however, appears to have more in common with the general crime rate of the community and the overall usage of the trail than any specific design feature.

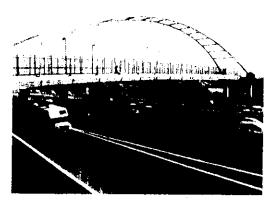
Design and operation measures are available which can address trail user concerns. For example, an undercrossing can be designed to be spacious, well-lit, equipped with



Type 3 Crossing



Type 4 Grade-Separated Undercrossing



Type 4 Grade-Separated Overcrossing

emergency cell phones at each end and completely visible for its entire length prior to entering.

Other potential problems with undercrossings include conflicts with utilities, drainage, flood control, and maintenance requirements. Overcrossings pose potential concerns about visual impact and functional appeal.

## Signing and Striping

Crossing features for all roadways include warning signs both for vehicles and trail users. The type, location, and other criteria are identified in the Manual for Uniform Traffic Control Devices (MUTCD). Adequate warning distance is based on vehicle speeds and line of sight. Signage should be highly visible; catching the attention of motorists accustomed to roadway signs may require additional alerting devices such as a flashing light, roadway striping or changes in pavement texture. Signing for trail users must include a standard stop sign and pavement marking, sometimes combined with other features such as bollards or a kink in the trail to slow bicyclists. Care must be taken not to place too many signs at crossings lest they overwhelm the user and lose their impact.

Directional signing may be useful for trail users and motorists alike. For motorists, a sign reading "Bicycle Trail Xing" along with an Oregon City trail emblem or logo helps both warn and promote use of the trail itself. For trail users, directional signs and street names at crossings help direct people to their destinations.

The directional signing should impart a unique theme so trail users know which trail they are following and where it goes. The theme can be conveyed in a variety of ways: engraved stone, medallions, bollards, and nule markers. A central information installation at trailheads and major crossroads also helps users find their way and acknowledge the rules of the trail. They are also useful for interpretive education about plant and animal life, ecosystems, and local history

A number of striping patterns have emerged over the years to delineate trail crossings. A median stripe on the trail approach will help to organize and warn trail users. The actual crosswalk striping is a matter of local and State preference, and may be accompanied by pavement treatments to help warn and slow motorists. The effectiveness of crosswalk striping is highly related to local customs and regulations. In communities where motorists do not typically yield to pedestrians in crosswalks, additional measures may be required.

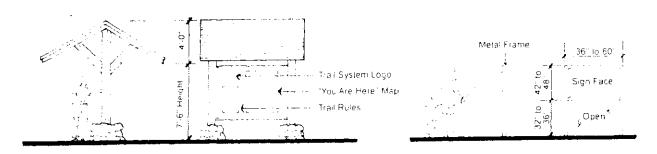


Figure 16. Trailhead information installation examples





Sample informational and directional signage



Wooden bollard with directional information



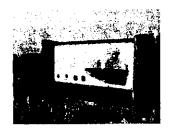
Inlaid medallions



Stone mileage marker

#### Trail Features

There are a number of amenities that make a trail inviting to the user. Below are some common items that make trail systems stand out.



#### Interpretive Installations

Interpretive installations and signs can enhance the trail experience by providing information about the history of Oregon City. Installations can also discuss local ecology, environmental concerns, and other educational information.



#### Water Fountains and Bicycle Parking

Water fountains provide water for people (and pets, in some cases) and bicycle racks allow trail users to safely park their bikes if they wish to stop along the way, particularly at parks and other desirable destinations.



#### Pedestrian-Scale Lighting and Furniture

Pedestrian-scale lighting improves safety and enables the trail to be used year round. It also enhances the aesthetic of the trail Lighting fixtures should be consistent with other light fixtures in the city, possibly emulating a historic theme.

Providing benches at key rest areas and viewpoints encourages people of all ages to use the trail by ensuring that they have a place to rest along the way. Benches can be simple (e.g., wood slates) or more ornate (e.g., stone, wrought iron, concrete).



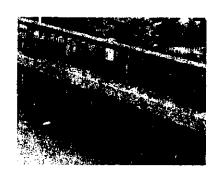
#### Maps and Signage

A comprehensive signing system makes a trail system stand out. Informational kiosks with maps at trailheads and other pedestrian generators can provide enough information for someone to use the trail system with little introduction – perfect for areas with high out-of-area visitation rates as well as the local citizens.



#### Art Installations

Local artists can be commissioned to provide art for the trail system, making it uniquely distinct. Many trail art installations are functional as well as aesthetic, as they may provide places to sit and play on



Basalt is used throughout Oregon City in walls and other structures

A design theme is significant for any trail system. A theme can create a unique and enriching experience for the trail user, help strengthen the community's identity, and provide a recognizable continuity to the trail system.

The name "Oregon City" conjutes up a defined image. Willamette Falls, basalt cliffs and pioneers are key elements of this image. Oregon City has a place in American history as the end of the Oregon Trail, a 2000-mile route that carried a mass migration of emigrants westward in what is no doubt the most significant event in Oregon history. In 1845, Samuel K. Barlow and Joel Palmer proposed and built an overland route emigrants

that could be used in lieu of the treacherous Columbia River route. This became known as the Barlow Road and moved through the Holcomb Valley area and ended in Oregon City. Though there is no evidence of this historic route in Oregon City today, there is good documentation of the emigrants' experience through their written journals, and known stopping spots or activity areas of the emigrants in Oregon City.

The geologic formations and topography remain as dominate feature of Oregon City Willamette Falls remains a visual artraction, and fishing is a common activity during the fall and spring Chinook runs, just as it was for the original Native American inhabitants of the area. Columnar basalt is still a dominant landscape feature.

The trail system in Oregon City should be designed around a historic theme that blends with this existing cultural and geologic history present in the City. Materials should be used in simple and elegant ways, but should shy away from being rustic in character. Key elements of this theme should include:

- Incorporation of the pioneer image in the trail system logo
- Interpretation of the Oregon Trail and early development of Oregon City.
- Use of basalt as a design element on the trail in the form of retaining walls, guardrails and bollards.
- Use of heavy, cut, timbers in wood structures, such as benches, picinc shelters, bridges.
- Use of plank textured concrete as a trail design element at key trail entry points.

Equally important, creation of a trail system presents an opportunity for environmental enhancement and stewardship. As the system is developed, opportunities should be captured to enhance wildlife habitat, improve water quality and groundwater infiltration, and improve the native plant community.

# III. Existing Conditions

## Summary of Existing Conditions



Historic Downtown



Older residential area above the Bluff



Newer development on the plateau

At 8.1 square miles, Oregon City is geographically compact. However, within its boundaries is a geographically diverse and historically rich landscape that can provide an excellent foundation for the development of a comprehensive and unique trail system.

The city is characterized by its pioneer history, topography and landforms, and its proximity to the Willamette and Clackamas rivers. The majority of the city lies on three distinct levels: the river-front historic downtown, the venerable residential areas above the first bluff, and the commercial and newer residential areas on the plateau. Other portions of the city sit on small bluffs above the Clackamas River and on rolling hills to the east. Commanding views of Mount Hood, Cascade foothills, Willamette Falls, and the rivers provide inspiring vistas and visual connections to the larger region. The city's proximity to rural land provides quick escape from the urban environment. Newell Creek Canyon is a valuable local and regional resource and adds to the quality of life of Oregon City.

Oregon City is recognized as a Regional Center in Metro's 2040 Growth Concept Plan. West Linn and Gladstone are nearby Town Centers.

The City currently has a small system of trails, mostly located in parks. The most recognized trail is the McLoughlin Promenade located at the top of the Bluff and the stairway running past the Singer Creek waterfalls. There are many informal "demand trails" located in Newell Creek Canyon, Clackamette Park, Waterboard Park, Singer Creek Park, Old Canemah Park, and on Canemah Bluff. Many of these trails provide pleasant walking opportunities for those who are able-bodied, particularly in small loops. But there are many gaps and challenging conditions to address, as many of the trails are on private land and traverse steep hillsides.

Many of the existing paved trails are in poor condition, do not feel safe or inviting to trail users, and do not provide larger community connections. Demand trails have created erosion

problems and soil instability in many of the parks, particularly Newell Creek Canyon.

Motorized dirt bikes and other motorized velucles are known to use many of the trails on Caneniah Bluff, adding to the instability of the hillside. Topography presents a challenge as much of Oregon City, particularly the older part of town, sits on the north face of a steep slope facing the Willamette River

The existing trail system as a whole poorly serves residents with disabilities. It also poorly serves bicyclists, as there are few striped bicycle lanes and many of the paved paths in the parks are narrow and covered with moss/debris.

Rapid growth and trail accommodation is perhaps the most pressing challenge. The population of Oregon City has increased 75% since 1990 -- from 14,698 people to 25,754 people (US Census, 1990 and 2000). Figure 17 shows general development patterns in the City from 1900 – 2001. Nearly half of the development has occurred in the last 20 years. Thirty-five percent of all development has occurred since 1990.

With few exceptions, development has been radial from the historic downtown and suburban in nature. As the City continues to grow and subdivide its older, larger, more rural lots into smaller, more suburban lots, it will be critical to integrate trails with the growth patterns before the opportunities are lost.

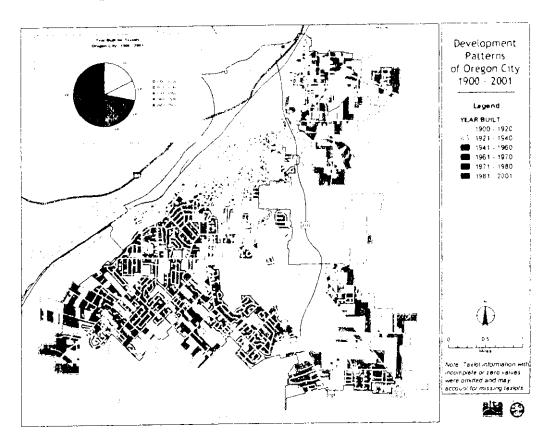


Figure 17. Development Patterns from 1900 - 2001 in Oregon City

Despite these drawbacks, the existing trail system provides a good starting point for the city to develop a comprehensive trail system. This Plan intends to focus on how to upgrade and connect existing trails with new and planned trails, and ensure that they serve multiple users with a variety of interests.

## Existing Trails

There are several types of trails in Oregon City: on-road shoulders, sidewalks, bicycle lanes, paved park trails, informal or "demand" pedestrian trails, and accessways.

There are pathways in some sections of Otegon City that are designed as on-road shoulders, characterized by a 3' - 6' wide shoulder, sometimes on one side of the roadway. The shoulder pathway is demarcated by a wide fog line or the addition of humps or reflectors to discourage automobiles from driving in the pathway. Signs also accompany some of the pathways telling motorists not to park in the shoulder.

Sidewalks are distinguished from shoulder pathways in that they usually have a curb and are physically elevated from the roadway. Sidewalk connections for pedestrians are fairly comprehensive in downtown Oregon City and throughout many of the newer (1990 on) neighborhoods. Sidewalks are largely absent in many of the older neighborhoods and on the fringe of the community.



"No Parking on Pathway" sign on Linn



Shoulder pathway on Holcomb



Sidewalk and vegetated buffer in a new development

Bicycle lanes are often located on roadways with a traffic volumes exceeding 3000 ADT. Bicycle lanes currently exist on parts of Molalla Avenue, Highway 213 from 1-205 to Glen Oak, Glen Oak, Beavercreek Road, and on sections of Washington Street. The City's Transportation System Plan identifies a number of other streets for future bicycle lanes:

- 7<sup>th</sup> Street
- Beavercreek Road: Molalla Avenue to UGB
- Molalia Avenue
- Singer Hill
- South End Road
- Warner Milne Road
- Anchor Way
- · Central Point Road
- Division Street
- Gaffney Lane
- Holmes Lane
- Leland Road
- Main Street Extensions
- Monroe Street

- · Partlow Road
- 12th Street
- Center Street: 2<sup>nd</sup> to 7<sup>th</sup>
- Clackamette Drive
- Front Avenue
- Glen Oak
- Holcomb Blvd
- Jackson: 15<sup>th</sup> to 12<sup>th</sup>
- Mevers Road
- Taylor Street: 12<sup>th</sup> to 7<sup>th</sup>
- Davis Road
- Cleveland Street
- Clackamas River Drive
- Abernethy Road
- Fit Street



Existing bicycle facilities on Beavercreek Road



Oregon City bicyclist on Beavercreek Road

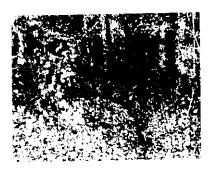
Oregon City residents have indicated that they wish to see improved and additional bicycle lanes on primary routes through town, particularly connecting the upper plateau to the historic downtown and shopping areas (Public Meeting, March 10, 2004)



Hillendale Park paved trails



McLoughlin Promenade



Singer Creek Park natural "demand trail"



Natural trail surrounding the retland at Metro's recycling facility

Paved city trails and earthen trails are found throughout many of Oregon City's parks, like Hillendale Park and Singer Creek Park Informal earthen trails are found in Newell Creek Canyon and Singer Creek Park. Other places with paved city trails and earthen trails include:

- Old Canemah Park
- Mountainview Cemetery
- Chapin Park
- Atkinson Park
- · Rivercrest Park
- McLoughlin Promenade
- End of the Trail Interpretive Center
- Park Place Park
- Clackamette Park
- Wesley Lynn Park (future)
- · Canemah Bluff
- · Canemah Cemetery
- · Barclay Park
- Clackamas Community College
- Environmental Learning Center

Accessways are required for all new development and provide short, direct connections to local roads, schools, parks, and other community destinations. There are a number of good accessways in Oregon City. Older subdivisions (1960 – 1992) were not required to provide accessways and connectivity is poor for bikes and pedestrians in these areas. Also, some newer developments have not provided accessways.

Waterway trails do not formally exist, though boaters frequently float on the Clackamas and Willamette rivers and in Clackamette Cove. The City is currently planning to install a small boat launch in Clackamette Cove. Currently, most boaters enter the rivers from Clackamette Park and adjacent to Sportcraft Marina

For additional descriptions and recommended standards and designs, refer to Table 1 in the Design Guidelines section of this document

#### Challenges and Opportunities

#### Access

There are several small trail systems located in parks and along the bluffs in Oregon City. However, much of the sidewalk and bicycle lane network is incomplete or non-existent, making it difficult to walk or bicycle to these trails, particularly for disabled users. Many of the existing trails lack amenities like lighting, signage, and benches to invite users which, in turn, lead residents to believe that the trails are unsafe or not meant for public use (Public meeting, March 10, 2004).

#### Maintenance

The 1999 Oregon City Parks and Recreation Master Plan concluded from a household survey that "maintaining existing parks, open space areas and trails" was where the City should focus its efforts. This is apparent from the field survey, as many of the existing park trails and facilities are in poor condition. Many of the existing trails in parks are covered in moss, cracked, and in poor repair from tree roots pushing up the trail surface. Mossy trail surfaces are slippery and can be hazardous, particularly for bicyclists and skaters. Cracks and undulations in the surface are tripping hazards and are difficult for disabled users.



Moss on trails in Old Canemah Park



Trail damage from tree roots and water



Roots push up trail surfaces and make them hazardous for trail users, particularly those with disabilities



Narrow trails become narrower when the edges of asphalt trails start decomposing

42

# Limited Public Rights-of-Way and Encroachment

Oregon City, like many well-established communities, has the challenge of accommodating and balancing the needs of different roadway users within limited public rights-of-way. Pedestrians and bicyclists are often left without proper facilities. Even more problematic is the issue of private property encroachment into the public right-of-way, such as a property owner placing trees, shrubs, fences, or walls in the public right-of-way. This is particularly true in older residential areas without sidewalks, where there is no visual delineation between private property and the public right-of-way. There are numerous examples like this throughout Oregon City. Although it is within the City's right to reclaim this space, it can be politically challenging to do so, particularly if the residents perceive that a trail or improved facility will bring more people through the area.

# Limited Trail Development Opportunity

Much of Oregon City has been subdivided and developed in the last 20 years. The character of the development has been suburban in nature with poor street connectivity and minimal dedicated public open space and parks. It is only within the last ten years that sidewalks or other pedestrian facilities have been required as part of development standards. The opportunity to develop trails through most of these neighborhoods has been lost and future trails will rely heavily on undeveloped parcels of land that are slated for development.

#### Topography and Rivers

Basalt cliffs, steep hillsides, and sensitive fish-bearing stream corridors with dense vegetation present challenges to trail development and implementation. There are federally listed fish species (Steelhead and Chinook salmon) and habitat in the Clackamas River, Willamette River, Abernethy Creek, Newell Creek, and lower Livesay Creek. Abernethy Creek, Newell Creek and lower Livesay Creek are designated as "essential salmon habitat" by the Department of State Lands. These waterways provide excellent opportunities but trail development will be restricted in these areas and must be developed to the highest standards available.



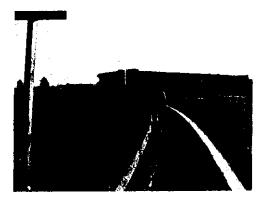
Topography is a strong characteristic of Oregon City



Abemethy Creek

#### Demand Trails

Demand trails or "desire lines" are footpaths created by people where there are no formal existing facilities. These trails usually indicate that a facility is needed. Demand trails are often present along roadways without sidewalks or trails, and in natural areas without a formal trail system (see photos below). These trails can be especially problematic in environmentally sensitive areas. Demand trails can destabilize slopes, promote erosion and channeling, trample sensitive vegetation in riparian areas, and disrupt wildlife nesting and feeding sites, among other things. They also often have a number of spur trails that exacerbate the problems.



Urban demand path on the side of Beavercreek Road - this pedestrian prefers to walk in the bicycle lane.



Natural demand trail in Clackamette Park



Demand trail due to poor connectivity on Canemah Bluff



Demand trail on the Metro property on Canemah Bluff

However, demand trails can be an opportunity for trail development, as the trail has already indicated where people would like to go and provided a route to get there. Demand trails can be difficult to close and rehabilitate once they have been identified as a link. In these cases, it may be best to develop the trail and mitigate any problems that may have developed due to people informally using the area

# Environmental Conditions of Trail Target Areas

The project team visited three specific target areas as a sample of the greater area to assess existing environmental conditions in greater detail. These target areas included the headwaters of Livesay Creek (in the Park Place neighborhood), the confluence of Abernethy Creek and Newell Creek, and a potential boardwalk area in the headwaters of Mud Creek (a tributary of Beaver Creek) south of Meyers Road. Newell Creek Canyon is also discussed in this section.

#### Livesay Creek

Environmental issues along Livesay Creek include Water Quality Resource Areas (the creek and associated wetlands), steep slopes, and listed fish habitat in the lower reach. Livesay Creek is considered a WQRA and trail development would be subject to review under the Water Quality Resource Areas overlay district. Permitting from the DSL and the Corps may also be required. A series of wetlands are mapped along Livesay Creek and its tributaries (Shapiro, 1999). These wetlands were verified in the field as part of the LWI completed for Oregon City, but for the most part, the mapped boundaries of LWI wetlands are only accurate within 25 feet and have not



Upper Livesay Creek

been surveyed. During the April 8 site visit, the project team observed a flagged wetland boundary in the upper reach of Livesay Creek that was probably part of a formal wetland delineation for adjacent residential development. Wetlands in the lower reaches of the creek will likely need to be delineated in the field, flagged, and surveyed. Field delineation of wetlands will need to follow the methodology outlined in the Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory, 1987). Permits from the DSL and Corps (if necessary) and approval by the City of Oregon City will be required before trail construction begins.

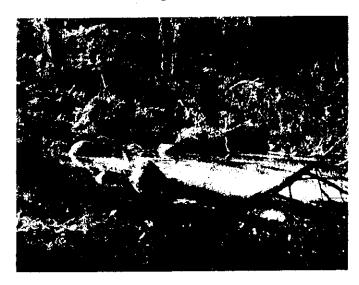
Steep slopes are mapped in several areas on both sides of Livesay Creek. Trail development along the hillsides of Livesay Creek (in areas with slopes greater than 25 percent) will require review under the City's Unstable Soils and Hillside Constraints overlay district. While steep slopes do not preclude trail development, greater scrutiny of soil suitability and drainage is advised. The mapped soil unit around Livesay Creek is Xerochrepts and Haploxerolis, 20 to 60 percent slopes (Gerig, 1985). These soils are prone to slumping, especially if cuts are made in steeper areas. A qualified soil scientist, geologist, or engineer should review the suitability of these soils for trail development.

The lower portion of Livesay Creek would most likely be considered an anadromous fish-bearing stream by the City and therefore would have a buffer of 200 feet. The potential for disturbance from trail development is greater in a larger WQRA, therefore, more mitigation will likely be required than in a natrower WQRA.

According to DSL, the lower portion of the creek contains essential salmon habitat and any amount of fill or removal below the OHWM of the creek would require a permit from DSL.

#### Confluence of Abernethy Creek and Newell Creek

Environmental issues near the confluence of Abernethy Creek and Newell Creek include listed fish species in Abernethy Creek, steep slopes, floodplain areas, and preserving native riparian habitat. Proposed trail development affecting steep slopes (greater than 20 percent), flood-prone areas, and the creeks will require review by Clackamas County. DSL considers the two creeks essential salmon habitat and would regulate any fill or removal of material below the OHWM of the creeks.



Newell Creek Canyon

One area assessed in the field was a narrow funger of land between Abernethy Creek and Newell Creek. This funger of land should be further evaluated for erosion potential from periodic scouring and natural movement of the streams. Trail design considerations to minimize disturbance to the surrounding riparian habitat include installing soft trails, restricting bicycle use, planting native vegetation densely in areas to discourage off-trail use, and avoiding the use of lights.

The soils mapped in this area include Xerochrepts and Haploxerolls, very steep; and Woodburn silt loam, 3 to 8 percent

slopes (Gerig, 1985). According to the soil survey, Woodburn silt loam has "moderate" potential for erosion if developed for recreational trails (Gerig, 1985). As stated above, a qualified soil scientist, geologist, or engineer should review the suitability of soils for trail development in steep areas.

Newell Creek Canyon is an important habitat area that supports a multitude of resident and migratory species. Although much of the canyon is owned by Metro, the area is also within the jurisdiction of Clackamas County and private property owners. Ideally, Metro and Clackamas County would work in partnership with property owners and amongst themselves on trail projects through Newell Creek Canyon.

Trails would most likely be located at the top of the canyon due to topographical constraints. In that case, trail development would be outside of the jurisdiction of DSL and the Corps, but may be regulated under the Clackamas County River and Stream Conservation Area special district. Newell Creek is identified as a "medium" stream with a 70-foot buffer. Setbacks are required for structures within river conservation areas, but are not specified for trails. Setback requirements and

potential mitigation will need to be clarified with Clackamas County during the development review stage of the project.

Metro has prepared a draft of the *Green Trails: Guidelines for Environmentally Friendly Trails* that will be finalized by the end of summer 2004 (Jennifer Budhabhatti, Metro, 2004). This is a planning tool for trail design and does not include regulatory standards

Stormwater run-off is identified as a concern for Newell Canyon in the Newell Creek Watershed: Restoration and Conservation Strategy (John Inskeep Environmental Learning Center, 2003). Trail design considerations for minimizing adverse impacts from run-off include: installing gravel, wood chip, or semi-pervious trails, decreasing the trail width in certain areas, and directing runoff away from the canyon.

#### Mud Creek

A trail crossing is proposed for Mud Creek, a tributary to Beaver Creek, just southwest of South Myers Road. This area of Mud Creek consists of a broad depression adjacent to residences and appears to be within Oregon City limits.

According to the Oregon City I.W.I, wetlands are mapped in association with the creek (Shapiro, 1999). As stated previously, the



Mud Creek wetland

boundary of the wetland area(s) will need to be delineated in the field, flagged, and surveyed. Field delineation of the wetland boundary will need to adhere to the methods outlined in the Corps' 1987 manual. Trail development in this area will most likely require review and permitting by Oregon City, DSL, and possibly the Corps.

# IV. Recommended Trail Network and Implementation Measures

# Recommended Strategy

The recommended trail network fulfills the vision and goals of this Plan. It provides a comprehensive network of trails that connect to every school, park, community center, business district, library, and natural resource. It connects to Oregon City's immediate neighbors. West Linn, Gladstone, and portions of unincorporated Clackamas County. It serves multiple users, multiple interests, and improves access for residents of varying physical capabilities, ages, and skill levels.

The following details of the network should be noted.

- The Conceptual Trails Plan Map includes both existing (shown as solid lines) and recommended trails (shown as dashed lines). Many community trail projects call for improvements to existing but substandard facilities.
- "Accessways" those providing a direct connection from cul-de-sacs and other disconnected developments will be determined through development review and permitting processes. Since accessway locations cannot be known until the development applicant provides a site plan, most accessways are not shown on the map. The proposed accessways currently shown on the map are desirable local connections but are subject to redevelopment and/or subdivision of private property. Therefore, the actual trail location may change.
- The trails shown are largely conceptual. Most need to be further studied and designed. The location of the trail may change as a result.
- Some sidewalks are shown as local trails because they fulfill the needs of local pedestrian circulation and connections.
- Some local connections are on quasi-public property (e.g., through private open space owned/managed by a neighborhood association).

# Development

Many of the trails shown on the Conceptual Trails Map, particularly local trails located along roadways or intended as accessways, will be developed over time by Oregon City property owners and new development, much like the sidewalk system and the current accessway system has been developed. In some cases, the City will

be able to require the property owner to construct the trail as part of the development review process. In other cases, the City will work with the property owner to ensure the City can develop the trail itself in the future.

# Improvement Selection Criteria

With the goal of developing a high quality system of multi-purpose trails, improvements must not only meet the residents' expectations, but exceed them. There are essentially two types of improvements for the Oregon City network.

#### Develop new facilities

New facility provisions are needed for regional trails, community trail corridors, local trails, and to connect residential and commercial areas if

- there are no existing facilities;
- facilities currently only serve one user group but are intended to serve multiple user groups;
- in parks, no ADA compliant facilities are available.

#### Upgrade existing facilities

Facilities will need to be upgraded if they currently support multiple uses but are not constructed to Federal and State standards, have obstructions, or are in poor condition.

#### Selection Criteria

There are four different categories of trails, but three different sets of selection and ranking criteria (accessways are not included due to their development requirement). Depending on the type of trail, the criteria include (100 total points possible):

Ease of Implementation (25 points). How difficult will it be to implement this project? This criteria takes into account topographical, environmental, political, and economic constraints.

User Generators (20 points). How many user generators does the project connect to within 1/4 - 1/2 miles of the project, such as schools, parks, transit centers, employment and commercial districts, Town Centers, churches, etc. ? Relative to other projects, does this serve special needs populations, like children and the elderly?

Connectivity (25 points): To what degree does this project fill in a missing gap in the trail system?

Hazard Mitigation (20 points) To what degree does this project mitigate safety problems, such as speed, road width, and dangerous roadway crossings?

Equity (10 points). Have projects been evenly dispersed throughout the city? Is this project in an under-served area?

# Project Priorities and Phasing

The projects in each category were ranked based on a weighted scoring system with the selection criteria described previously. Project scores were based on the information obtained from site visits and field work, City staff, and from the public. As a result, the projects have been grouped by trail classification (regional and local) into Tier 1, Tier 2, and Tier 3 project priorities (Tables 3 and 4). Community trails have been omitted from this process because all of the projects are in the Oregon City Transportation System Plan and have gone through their own priority process. Refer to the TSP for those priority rankings.

Tier 1 projects are the top priority trail projects for short-term project implementation and are targeted for completion in the next five to ten years.

Tier 2 projects are mid-term projects planned for implementation between ten and 25 years. These projects comprise the bulk of the trail system

Tier 3 projects are long-term projects recommended for implementation between the next 25 and 50 years from Plan adoption. These are projects that generally supplement the trail system or may provide potential trails over a longer period of time as land uses and regional planning boundaries change.

The short, mud- and long-term schedule may change according to available funds, changing priorities, new roadway projects that coincide, new development and redevelopment opportunities, or other factors.

It should be noted that the purpose of this exercise is to understand the relative priority of the projects so that the City may apportion available funding to the highest priority projects. Medium and long-term projects also are important, and may be implemented at any point in time as part of a development or public works project. The ranked lists should be considered a "living document" and should be frequently reviewed to ensure they reflect current Oregon City priorities.

Table 2. Regional Trail Priorities

Tier 1: 5-10 years	Tier 2: 10-25 years	Tier 3: 25+ years
Clackamas River Trail	Trolley Trail Bridge	Beaver Lake Trail
Newell Creek Canyon Trail	Willamette Greenway Trail	Barlow Road Trail
Oregon City Loop Trail		

<sup>1</sup> Numerical ranking information is on file in the Oregon City Parks & Recreation Department

#### Table 3. Local Trail Priorities

Tier	1	: 5	-1(	3 v	/ea	rs
------	---	-----	-----	-----	-----	----

Holcomb Ridge Loop Trail

Barclay Park Connection

Holcomb School Connection

Swan Avenue

Rivercrest Loco Trail

Parks Trail

Hillendale South Trail

Wesley Lynn - Chapin Trail

Chapin - South End Connector

Lazy Creek Trail

Powerline Trail

Park Place Park Trail

King Trail

#### Tier 2: 10-25 years

Park Place School Trail

Park Place Creek Loop

Abernethy Creek Trail

Hunter Spur Trail

Waterboard - Singer Creek Connection

Waterboard Park Trail

Center Street

Old Canemah - McLoughlin Connection

Glacier Court Trail

Collee Creek Trail (Canemah Connector)

Canemah Bluff Access Trail

Parkland Trail

#### Tier 3: 25+ years

Thimble Creek Trail

Livesay Creek Trail

Apernethy Creek Extension Trail

Stadium Loop Trail

Waterboard Rim Trail

Newell Creek Trail System

BPA Powerline Trail

Canemah Blu!! Trail

Finnegan's Trail

Central Point Trail

Planning Estimate Capital Costs (Excludes Property Acquisition/Easement)	TrailCosta (See Cost Estimate Worksheet for Cost Braakdown)		5/0: 401	\$2.709.180	\$2 469 333	S 348 8.20	\$913.904	Uningwr	\$5.019,025
<b>π</b> υ"	riority			- :	-	u	ro.	2	~
	Lead Responsibility Priority		Oregos Cay Clantamas Coemy 00001 Metro	Arderate Diricul County	Oregon Civy Clackamas. County Metro	Meto Clack ands County Origins Cit. Parks and Recreation	Metro, Clackamas County Oregon City Parks and Recreation	Moderale to Chffcut Ovegon City Pays and Recreation Moderale to Chffcut of Galdone. Ovegon City Public Weeks	Mero Clax kanas County Oregan Civ Paix and Recreation Oregan Department of Transcontation
	Ease of Implementation		F ass	Moderate Difficult	D-Proof	Moderale	Difficult	Мадегате то Онис	O.H.co.
	(miles)		53	2.2	ج ن	1 02		0.08	
mplementation Measures	Crossings		ر عظام : علي المن المن المن المن المن المن المن المن	1 y De 1	Type 1 Type 2	11	, bed .		الملح علم الحاد ع
yaw;	Other			indicovements to the May 213 right of May	Snardwalk "om Meyers 10 Fronter Pewy			Salety inmprovements inmprovements	impovemens to eastwig sydewalks tymoel improvement
	Right-of-Way Improvement		Man S Voloughin Bird	Hgiyl Lane wdehing In acommodule implumy 213 wdic shoulders implumy 213 photoi bicytle anes right of way to a hai	High St. Central Bour Bo Meyers Kg. Beaverd gen Rd. Redand Rd. Aberreitty Rd. 15th			E.	Job ve adoli
	Acquistion/ Easement			Private property hydry Lane wide cwress that from to accommodate How Road and who wide shoulders are adjacent to the landso bisycle of ialidad easement to a trail	New gevelopment easements pr Coneman Biuff	hen de elapment Small podian estements south of Loge: Rd	_	i Union Paktilic biloge	Unen Pache. Basenen
	In Water Quairty Resource Zone?		\$	<del>2</del>	Yes more Distriction MGRZ	orbod liews:	Yes mine than 50% of traitin WORZ		¥
	Adopted Plan(s)		T T T T T T T T T T T T T T T T T T T	Welto Regional Transportation Plan	Merio Regiona Transportation Plan	Mero Regiona: *ransportation Glan	Metro Regional y Transportation Plan	Metro Regrunal Transportation Plan	Meirc Regional Fansportalion
	Description		Regional stak would connect to existing 1. Diegon City 205 path over the High-Rock's Bridge and Downtown Indoor High-Rock's Breed's everyer Common's Tackiness or Main Street and link to on street. Common's tackines or Main Street and the or system of the proposed Mctoughinh Blied Promerade. Plant to the Oxegon City third deep city third deep.	Regional Itali would follow the Oteonn - Metro Region City Motalla interubar national bench on Transportation line east side of Newell Creek Canyon - Pian	Regional trait would generally follow the Polegon first UCB on a corlection of force loads, through new development acting powers, eight in 4 way, and down the built foliat up with the Promenade in downloan Otegon City.	Regional trait would travel from Clack and Community Coviege thirtings the Cartains of Community Coviege thirtings the Cartains to the assisting The trait would swit the got course and continue on to Beaver Lake	Regional rial, would follow the peticeptive alignment of the instruct Barrow Road. Metro Regional from Agemethy Green to the Chegon City. I farsportation UGB. The trial would primary white. Plan existing and proposed coalways.	Regionalitas would connectifie proposegrey frait to he proposegrey frait to he Clarkamas River it ali via an old raifoad Vider Spaning the Clackamas River.	Begronal mal would follow the Wulamottle Shaker Growth and would follow the Wulamottle Daln Clackamas and Wulamotte inversion Sudewash. Cahris Sorgen portions would the alreal Disprete lanes, with hall others will be a shall phan Disprete lanes, with hall others will be a shalled use path.
Projects	- A		Shared use I pain on Siree!	Shared use ball some on street	use of	Shared use	Shared use path on siree!	Shared use path	Shared use pain sidewait, bicycle lane
	From - To		1		Beavercreek Rd Shared www 213 [excludes pain of Newell Creek Canyon Street, Jian Section]	Clackamas Community College Oregon City UGB Vmils	ŞĒ	Porland Ave Trolley Trail Bridge (G.adslove) - Oregon Cri Imis	Crack ametre. Park to Crack ametre. Park to Crack for the purpose of this study).
	Ē	REGIONAL TRAILS	Clackamas River High Rocks Blidge Trail Olegon City Blidge	Hwy 213 and Newell Creth Redand RA Canyon Trail East   Searettleek Rd	Oregon City Loop Trail	Beaver Lake Trail	Barlow Road Itali Okegon Cily Li	Troiley Trail Bridge	Wilbamette Greenway Trail
	· • • • • • • • • • • • • • • • • • • •	REGIC	2	22	2	\$	&	<del>.</del>	<u> </u>

A PACIFIC A COMPANIES AND A SECTION OF THE SECTION

<b>5</b>	Trail	From To	Projects	S. Description	Adopted Pan(s)	A	in Water Quality Resource	in Water Quality Acquistion Resource Exement	Acquistion Sight-of-Way Ersement Improvement	Acquedon Sight-of-Way  Essensed Improvement	Acquardoni - Sight-of-Way  Crossings  Crossings	Arquerdoni - Sight-of-Way  Crossings Instead	Acquisition   Right-of-Way   Crossings   Length   East of Lead Responsibility   East of Improvement   Crossings   Implementation   Lead Responsibility   Crossings   Implementation   Lead Responsibility   Crossings   Crossi	Institution Measures  Acquisition Right-of-Way  Crossings [Insies] Implementation Lead Responsibility Priority  Exercised Improvement
4 - 138 - 3 - 4						Zone?		(4.5. <b>]</b> (4.5. <b>]</b>	v 1 350 m √ 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	v 1 350 m √ 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	amproventiem.	amprovenien	Inprovement	Inprovement
δ ≧	COMMUNITY TRAILS	are located in the City	y of Oragon	City Transportation System Plan (TS	P) and have their	om Memal	ranking system.	- <b>8</b> 000	Pease refer to the TSP					
C1 S	South End	C1 South End Oragon Cay uCB	Bine lanes and sydewalks	Bive laines from UGB to Barveil and spaleward introughout. Provides or fical publishing and drayete access from the publical to historic downfrown and the fiver.	au Mou	3	ឆ្ន		See description	See description	See description	See descaption 2.9		29
C2	Partiow : ::	South End Central	Bike lanes and sidewalks	Bike lanes and sidewalks from South End Rd to Certual Ford Rd	Oregon City Trunsponation System Plan				See description	See description	See dest and	See describion 0.5		0.5
 C	Central Point	: Oregon City UGB ,Warner Pairon Ro	Give lanes and the disks	Bike lanes from Warner Parroll to the USB and sidewalks from Roundriee Cover to the USB	Oregan City Transportation System Plan		n/a		See description	See description	See description	See description		
Ω	Pease	S. McCord Rd . Letanu Rd	Gike lanes and sidewalks		Oregon Cry Transportation 'System Plan		E. U.		See description	See descripion	See descripion	See description 2.73		273
C	Leland	Warner Militie - Orlegon Cirk UCB	Bike lanes and side#alks	Bike lanes and sidewalks Hom 'Aamer Mine to the USB	Oregon City *ransportation 'System vitali	·	Rid		See description	See descripton	See description	See description		99
	Meyers	Leigno Roll Hwy 213	Bike lanes and sidewaiks	Bive lanes from Highway 210 io Beavercreek Rolland sidewak from Leland Rollo Gattney Carre	Oregon City Transponation System Plan				See description	See description	Size Rescription	See Rescription 145		6
	Gaffney	Meyers Rd Molara Rd	Bike lanes and sidewalks	Bake lanes and sidewalks from Moralia Avenue to Meyer's Road	Oregon City Transportation System Plan	<u> </u>	a		See description	See descripiion	See description	See description 0.72		0.72
G	Molalia	Hwy 213 Homes Sr	Bike lanes and is-dewalks	Bike laries from 7th to Highway 213 and sporimprovements for sidewalks. Curb ramps should be provided at each corner.	Transportation System Plan		6%		See description	See opsolon	See describing	. 5 <del>€€</del> 08521-01-0n		26
C9 -	Divisian	Moralla Rd - Redland Fid	Bike lanes and sidewalks		Oregon City Transportation System Plan		1912a		See description	See description	See description	See description		115
010	Taylor	7th - 12m	Bike lanes and sidewalks	Bkg lanes hom 12th Street to 7th Street	Oregon City et Transportation Tystem Plan	2			See description	See description	See description	See description 0.28		0.29

CONTRACTOR OF SECURITION OF SE

Acquistion/Easette	Trail Costs (See Cost Estimate Worksheet for Cost Breakdown)	830 000	00078	350, 200	\$15.150	\$754 500	\$772,500	\$987.550	8201,000	\$504.300	\$24.1 000	\$41072	000 /3
	Priority	· · · · ·											
	Lead Responsibility	Oregon City Pubic Works	Oregon City Public Wans	Olegon City Public Works	Oregon City Public Works	Oregon City Public Works	Oregon City Public Works	Oregon City Public Works	Oregen Cily Pubic	Overson City Public Works	Oregon City Public Works	Overen City Public Works	Oregon City Public Works
	Length Ease of (miles) Implementation					: :	2		7.2	790	3.72	031	
	Crossings (miles) In	90	0 92:	9		97.)	661	25	8.75		c> .	0	
	odher			:		:	1		:			:	·
	Right-of-Way Improvement	See description	See description	Sec Oescopion	See description	See description	See describion	See descibion	See description	See description	See describlion	See descripion	See description
	Acquisition/ Easement	e	P. C.	8) (	e e		6,c	<b>8</b> 07 C	7/a	N/B	8:4	e,u	e č
	In Water Quality Resource Zone?	) 	: : 8			e i	S.	ņ c	6/0	e/u:	<b></b> .	e c	. e
	Adopted Plan(s)	gon Caly nsgarfallion tem Plan	Oregon City Transpotation System Plan	Oregon Cirk Pransportation System Plan	Oregon City Transporation System Plan	Oregon City Transpedation System Plan		Orego 1.ans; 5,481e,	Oregan City Transportation System Plan	Oregon City Transportation System Plan	Oregon C-1y Transportation System Plan	Oregon C Iy Transportation System Plan	Oregon City Transportation System Plan
	Description			Biker sines and sidewalks from Jackson to Warner Maine	Bive lanes from Linn Ave to Motalla	Bike lanes and sidewalks lioni Highway 21.1 to the UGB	Bike lan Abene:	Bike Janes from Molaira to sidewalks light Warner Mi	Bike lanes and subwalks from highway 213 to Beavercreek Road	Bite Lanes and skidewalts from Forsylbe to Hollomb	Bake lanes from Telford to Motalla and sidewalks from Motalla to Refrance Lane	Bake Janes and Front Avenue 5	Bike langs from Telford to Linn Ave
Projects	edk]	lanes raiks	anes salks	Bike lanes ano sidewalks	tive lanes	Bike lanes and sidewalks	Shared use: path sidewalk, bicycle tanes	Bixe lanes and sidewalks	Bike lanes and sidewalks	Bike lanes and sidewalks	Bike Janes and sidewalks	Bike lanes and sidewalks	Bike lanes and sidewalks
	From . To	Taylor High St	Bike John Adams Taylor and	.4th Warne: Milne	Moralla - Wamer Parrott		Redland Rd UGB	ch Vocala - UGB	a di	Hokomb Forsyth	Motalia Davis	Swan Ave Figni Ave	Holmes - Lan
	Trail	£	128	Lina	Warner-Milne	Redland	Новсодъ	Beavercreek	Glen Oak	Front	Rolmes	Cleveland	SIARO
	Ω		012	(#3	C14		C16 .	C17 :		613	C20	C21	C23

	<u>_</u>	5	F 2	5	00	C25	C24	C23	8	
Park Place Creek	Park Place Park Trail System	Park Place School Stone St.	Holcomb Ridge	Thimbie Creek Trail	LOCAL TRAILS	£ :	Center Street	Washington	Trail	
Parx Place development - Regiand Rd	Ceverand ST Front Paved tail	Stone St Mashingum St.	Holound Elementary	Redland Rd BeaverCreek Rd		Im 2/e	7th 2nd	am atemethy	fiom To	
Earthen hiking trads paved trail	Paved Hail	Pavedhan	Pased roll earther history train	E annen ira		Seuf awg.	Bike lares	Since laines	•	Projects
A cenes of earther indis would provide access to the stream coindor and currect to paved that so of the between which would read to new development and a community park.	A paved hat would provide a direct connection true. Care space to the Park Payer Park. A smaller system of earther niking trails could be developed on the niking barned the park lactures.	A short connection ulivzing undeveloped street high, or way adjustent to Para Plasse Elementary Sunnoul This off street dath would provide a traffic-free parth way and a great connection to children going to school	mai wo	Eather many ball that would blow "Parks and to more Cheek out of the Gu3B limits and "Herication Master" residence to the Beaker Lake "Tan all "Parts and Beaker Cheek Road".		Bike janes and improved sidewalks from Majalla to Beavercreek	Bixe lanes and impro≠ed sidewalks from Pt. Axedue to 2≥0 St.	anes and improved sidewalks from vehille to the newly buil sections erore Abernathy Road	Description	7
Parks and Recreation Muster No Prair				Parks and Recreation Master Plan		Congan Cou Transportation (System Prairi	Oregon Cay Transportation System Plan	3	Adopted Plan(s)	
5	ਤੌ		Smar porton	725			i.	(	in Water Quality Resource Zone?	
Easements as pain or new development	- Yore		E asements as pain of new coopers is easements a some casements a some our entre of the pain of the pa	Scobedy easemetric		P.O.			Acquisition/ Easement	
		Cevelor tradic				See dascription	See description	See aest option	Right-of-Way Improvement	
		Grade ssies		Sensitive areas					Other	ងជាជា
				rpe ( Tipe )					Crossings	<u>a</u>
595	0 %	0 52	<u> </u>	A 55		052	031	0.65	(miles)	
yse 3	EdSy	Moderaie Difficuit	NOCE AIR	Definati	V <sub>2</sub>		:		Esse of Implementation	A Company of the Comp
Oregon Cily Paixs and Recreation	Gregon City Parks and Recreation	Oregon City Schools Oregon City Paris and Moderate Difficul Recreation Park Place Inegohorhood Association	Oregon City Parks and Recliedion DC Public Warks, Clackamas County Park Place Neighborhood Assuration	Oregon City Pasks and Recreation		Oregon City Public Works	Oregon City Public Worn's	Oregon City Public Works	ponsibility	
~	2	2	uA.	ب	- 24		 	; ; ;	Priority	
\$15/613	\$92.286	\$121,511	\$7.29.281	\$: 07: 900					(See Cost Estimate Worksheet for Cost Breakdown)	Praming Estimate Capital Costs (Excludes Property Acquisition/Easement)

CONTRACTOR TRACTOR TRACTORS AND THEFT SELFACTOR AND ASSOCIATION

															Planning Estimate Capital	
			Projects	ds					(dul)	implementation Measures				Cost	Costs (Excludes Property Acquismon/Easement)	
<u>.</u>	Trail	From · To	• d.k.	ype Description	Adopted Plan(s) F	In Water Quality Resource Zone?	Acquistion/ Easement	Right-of-Way Improvement	Other	Crossings	Length (miles)	Ease of Implementation	Lead Responsibility Pri	S) Amount	York Trail Costs See Cost Esturate Worksheet for Cost Breakdown)	-
9	Park Place Development Trail System	081	Seri paned	A collection of Lars Haveship he Park Place development providing concernings to Recland Rd. In operated parks and open space and adjacen subunspins	Σ	0.0 0.0	Eastments at particularity development			; ;	g <sub>i</sub> c	658.3	Oregon Cor Parks and Recteation CC Planning	प्र	2	
5	Livesay Creek Trail	Livesay Creek Trad Trad To Region Ridge Trad	Earthen Prixing Ital	A SEE3m-SQF Walk-ng Ital 12/0%ing a Class 4 waterway down Holdomb idge	Recreation Master Yes		Prvate property easements abrig the stream contoor	_d, r, c, d,	Environmental slope water quarry issues Private property lissues	Tree 3 crossing of Rediand Rd	27	Enflicus:	Oregon Cuty Dans and Reciedings	:	60% 622 <b>%</b>	
5	Abernethy Creek	15th and John Adams, Earther or 10 Abernehy Rd 103veG Irali	Earthen or	A Pair would below he south soe of Abernethy Creek from the Cityswiced parcel on John Agams and closs the creek to Abernethy Road through the Clack amas Courty property	Parks and Pecceation Master. Yes Pian	<u></u> .	· · · · · · · · · · · · · · · · · ·			Type 1. 2 bridges	5	Moderale	Olegon C Iv Parks and Recreation Clackamas County	~	8375 .44	
. 61	Abernethy Creek Extension Trail	Abenreity Creek - Abenreity Creek to Extension Teal - Alkinson Park		A High world switchbate up the steep hills rice to connect to an existing that on Earthean testing that on Earthean But in the view would remain a thinksoft gar. The train would remain on Carbamas County property	*.	, kes			Fire someotal Slope Asie: quality issues		\$20	E as y - Moderale	Oregon Culy Raiks and Recreation Clackamas (Counly		\$44.550	
110		Stadium Loop Trail Jackson St. and 14th. Earthen or	Earthen or paved Ital	An earther or paved trail would trailed to Newey Creek  Nath St., around the traile, and drow.  Conservation  Existing demand trails around the Oregon Strategy (DRAFT)  Criy High School	Newer Creek Conservation Strategy (DRAFT)	Small poston		Sidewalks on tan			570	Eas+	Ovegon Ciry Schools Oregon Ciry Parks and Recreation		\$104.782	
Ē	Barclay Park Connection	Abernethy Creek to Barclay Park	Sidewalk	Add a sidewalk on John Adams so podeshrans can connect to Barday Park	 	, ses		Sidewalks on John   Stope Adams	Stope	, adk	62.0	E 45.4	Oregon City Public Works		18: 0:3	
113	Holcomb School Connection	Swar Ave 10 Hocomb Elementary Paved Ital	P	Trail wound skirt his preminite of line Oregon Cite View Manot and provide a principlo Swan Ave Hwhen the private parter and activities to the Manot is developed.		العسخ بمهرا	ig Stempols, as p.a/ Schewait, On S.4.an.	Sciewaik on Swar Ave			696	Moderate	Olegon Cily Parks and Reciedion Clackamas County		\$146.459	
133	Swan Ave	Sidewa Forsythe to Hotcomb (spaked)	Sidewalk or 5 paved roadside tia	This trait would provide chical north/south user access, as Swan one of two roads that connect to Forsythe in this area.	dS.	, ks		Sidewalk or havi along roadway		Type 1+ al Halcomb and Forsythe	0.52	Easy Moderate	Oregon Cily Public Works Department	- [	\$ : 2 230	
- 4	Hunter Spor Track	Forsythe to Swan	Paved Ital	This trail would unlize existing public right of were adiabeth to provide a connection thiough the morphomood		Very smail	Easement needed for potion of irail west of Hunler		Slope	sa garssang ba Swan	0.26	Moderale - Orficul	Gregor, Cry Parks and Mogerate - Officul Recreation - Oegon City Public Works	2	\$1.94 kg.1	
115		Waterboard - Singer Waterboard Park to Creek Connection Singer Creek Park	Signage.	This route would left on way finding signification and then follow Singer Creek to existing paved trains within the Bark.	Parks and Recreation Massler Yes Dian	:   			Sanstilla Washington Sanstilla Sanst	fype J clossing on	4.0	Easy Moderale	Oregon City Parks and Recreation	r <sub>2</sub>	\$67.893	

THE SECURITY OF THE SECURITY O

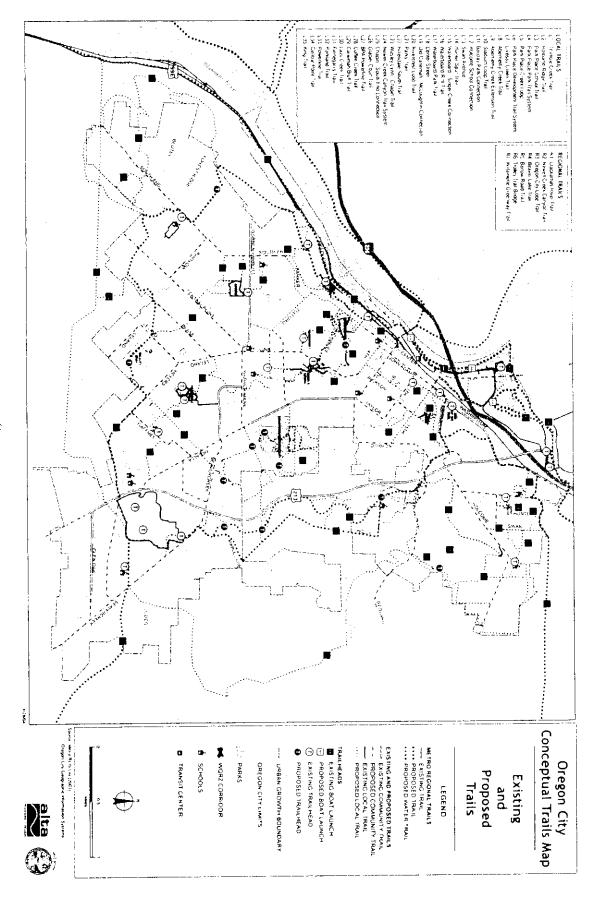
			Projects						ากมีเลเก	nentation Measures					Planning Estimate Capital Costs (Excludes Property Acquisition/Easement)
õ	Tall.	From · To		Description	Adopted Plan(s)	In Water Quality Resource	Acquisition/ Easement	Right-of-Way Improvement	Other	Crossings	(miles)	Ease of Implementation	Land Responsibility P	Рпоту	Trail Costs (See Cost Estimate Worksheet for Cost Breakdown)
C16	Waterboard Rim Travi	Prince Ave 10	Paveo trail	This item would have dony the fin of water bony the fin of water bony the fin of water bony the fin of water bonding water, or openium and the fin lamene. Rever. The existing of all needs to be for particular to the constructed on the water periods of the fin in public ungaved purions of the rim in public.					Splomatic measures with neighborhood to selgalimproyed right of way		027	Easy Moderate (S	Olegon City Parks and Recreation Olegon City Public Works		\$75,624
512	Waterboard Park Trait	Udok nev Ave 10 Center St	Eschenical	This trail would switchback down the steep hits de and connect to Center St. The trail would personally intersect waterboard flesh Rd.		6			Stupe issues	Type 1+ al Center	C 4	Mode: ate	Oregon City Parks and Georgeanon	~	\$77.052
18	Center Street	Letoralos, Ind Ave Sluthalls	Siūe* 41*	ter St. and connects for also provide the object to the ob	. S	0		Sidewalks on both sides on the rodoway	Siope issues	Type 1+ al Sunsei	C2 C2	Moderate - Difficult (Oregon City Public Works	Oregon City Public	2	\$54 B23
1- 15	Old Canemah . McLoughim Connection	OU Caneman Park to Paked stati	Payed tail.	A Sured Instruction of the Assistance of the Assistance of Cameman Park to the PGE Substance and connect to McCouphin Bod States white and parket would be the Med States where the testing would need to the Assistance of the Medical Parket would need to the Medical Parket Need to the Need to the Medical Parket Need to the Medical Parket Need to the Medical Parket Need to the Need to th		φ, 	Easements needed (Coross PC). Property to Microughina Biva	Sidewarks on: IMELOUGHER Tumwarer and S		Type Lat High	001	Moderate	Oregon Cilic Paliks and Recreation, Diregon City Public Works	*2	<b>36</b> (.36)
1 20	Rivercrest Loop frait	Nickmey Ave lation Sidewalk	Side	An on street loup trail would provide a connection to Singer Creek Park waterboard Park and Rivercrest Park Trail would have! through small outbild open spaces	Park Dive in 15P   Smat ponon	Small ponor		Sidewalks on Chamar and Park	Engroachmen:	y See Tar all Lines	396	£asy - Moderale	Oregon City Public Works Oregon City Parks	-	\$213.814
. 21	Parks Trail	Singer Creek Pan ID   Paved trail	Paved ta	id link various paticels of lass public land to provide reprinsection is county buildings and is	Flasement Recreation Master Small promotioners Flan Wkonzon Flan Wkonzon	Small position	Fasements needed to cook in its cook in it		France Will travel Intrough school property	7 De 2	<u> </u>	Moderate Difficul	Oregon City Parks and Recreasion, Chackamass County	<u></u>	\$492.917
L 22	Hiltendale South	Canney Lane Oliving Park In	Side#alk payed hall	This trait would uit are stoewalks to connect to the Powening Trait and then continue south on a paved trait through school property.	Parks and Recreation Master No	6		Sidewalks on transmittavel Wassart Eastborne involugh school Charmoni property	filds will have: inrough school property	1 k/540 - 1	0.4	, kse3	Olegon Cry Pubic Works Olegon Cry Panks and Recreation	-	\$162942
ر23	Wesley Lynn - Chapin Trail	Westey God Paskild (Chapin Park	Paved trail	This Hail would connect two community parks wa public right of way and undeveloped parcets of land		אפטיפה אפט ציישיי	ig vew gent abuseu.	:			.01	Easy Moderate	Oregon City Panks and Recreation Oregon City Public Works	-	\$300 413
L24	Newell Creek Canyon Trail System	Newell Creek Trail System	rails on sever frails paved	A green of having train that would access.  * always bank of the yeaken sloce in the yeaken sloce in the yeaken sloce in the yeaken sloce in the year of year of the Strategy (SPA) in the year of year.	s  Newell Crapk  - Conservation   Strategy (CRAST)	Yes	Lasements needed to cossillation cossillation easement as pail of development (wai Marri	Sidewak indichenents on Barciay	Sensitive areas existing demand rraits will need to be 195sed and repaired	Type 4 Lonel under Highway 213 Jodaiowalk (bridge Jordssing Newell Creek	× ====================================	Say Oricel	Cregon City Parks and Recreation Metro		Z.

Planning Estimate Capital Costs (Excludes Property Acquisition/Easement)	Trail Costs (See Cost Estimate Worksheet for Cost Breakdown)	\$57 JRO	2d6 x/3 <b>3</b>	£1 491 625	\$ : 19 07.0	\$551038	9225:15	\$25> 654
	Priority	-		2	~	~	- -	e:
	Lead Responsibility P	Oregon Cily Public Mors Departmen	Gregon Cry Public Works Department	Cackamas County Corpt Cry Parks and Recreation	Oregon City Parks and Perceation Oregon City Public Works	Cegar Cir Park and Receation Metro	Organ Cuy Pubic Mons	Orgon City Paks and Regreation
	Ease of Implementation	Easy		Officult	©HCD.	Very Difficult	Easy Moderale	Moderate Difficut depending on residents eceptiveness in a
	Length (miles)	638	20	4 43	6.54		0 43	89
mplementation freasures	Grossings	Type Leussing on Boyrign Type 1+ ph South Eng		we 2 crossing on Highway Vi 3 Type 1- on Leand Cont. at From and South End 1992	Type 1 - ch South and	Soult End Rd	Ype 2 pissurg ph Molara	Negorialion with Type • crussing on association
dш	Other			Stope eroston		'   		Negotiation with The homeowner's association
	Right-of-Way Improvement		Sidewall Improvements on Cladier Ci		Sidewalk an South Stope erosing: End Rollo Connect. Stope erosing: to stanway		Sucewalt on 1924	
	Acquistion Easement			Fasemenis reeded across numerous Divale properly Darcels	E asements needed across numerous pinate propeny parcels	Easement needed to cross multiple (27) oware properties	Easement reeded to coss taxlo 378.08A 0+506	
	In Water Quality Resource Zone?	0	2		\$	awos,	Some	Same
Projects	Trail From To Type Description Adopted Plan(s)	This Hair would connect South End Rd 10: Connection End Chaps Pair via the product option performed from End Rd Connection End Rd Genity Way	Glacer Countral Chabri Park to South Sidewalk Connection would provide single acress to Chashi Park Some sidewalk segments exist in places.	This his operation is all would colored the BPA Powerine Trail Work of the BPA Powerine Trail Walland to the Edither it all the Williamete Ruser could be moderate to Review on Master Survey of Survey as the moderate of the Survey of Master Survey of Survey as the moderate of the moderate of Survey as the moderate of the moderate of Survey of Su	Coffee Creek Trail South End. Old Stairs connection for South End Road to canteman Park teadhen Leaf Caneman Park and the regional is all system.	This earlier it all would tallow the control of search and Canemah Bluff Trail is all IG Geogos Ciry. Earlier it all plants and vision of the property of the control of the Parks and Loop Trail is all IG Geogos Ciry. Earlier it all plants and the same of the same of the plants would connect. Recreation Master. Some in Beure Rd. and Masago Way. The trail Plants would connect to the engograph trail near the second tr	Lazy Greek Trait Gathrey to Molalia and payage of processing the Molalia and payage of processing from the processing of processing from the processing of processing from the processing	This trail would formative existing femand I lails on quasi-pubic land and panes to the serving demand I lails on quasi-pubic land and connection to the serving to the ser
			• • • •			Canemah		:: Finnegan's Trait
digital in	6	۲۶۶	17.6	7.	178	స్త	L30	Ē

53

	5	L32	5	
Regional Itali is Br Bowe he Condo	Powerline Trail	Parkland Trail	10.	
Regional Trail to 804. Earners Powerine Conidor Irails	Beavergreek Rd Meyers Rd	Soun End Roll: Careman Bulf via Navijo May	From · To	
Shear	Shared use path, on street	Paved trail	Project	
1 = =	Community that will utilize the powerine right of way in Newell Creek Canyon southwest to Meivers Rd. where it will connect to the Oregon City, Gog Trail.	A Hall would travel through future development and follow Navajo Way to consect to Caneman Buff frail grophsed Caneman Buff frail	cts Description	
Parks and Represent Master Yes Plan	Paiks and Recrease Master sta	. <u></u>	Adopted Pun(s)	
Yes			In Water Quality 5 Resource Zone?	
Easements às pan of new development leasements on private property		Easemens as part i Sidewalks on plinew development (Navajo Way	In Water Adopted Quality Acquisition Right-of-Way Plan(s) Resource Easement Improvement Zone?	
	Secretary plans	Sidewans on Navajo Way	In Water Adopted Quality Acquisition Right-of-Way Plan(s) Resource Easement Improvement Zone?	
		: Pa : Pa : Pa	other	
		Type 1+ or Type 3 racksing on South End (0.4) PRO	mentation Measures  Length East of Crossings (miles) Implementation	
045	<u>=</u>	6.60	(miles)	
Oithous		Moderale	East of mplementation	
Otegon City Parks and Recreation	Oregon City Parks and Recreation Public Works	Oregon City Parks and Recreation Gregon City Public Works	Length Esse th Lead Responsibility Priority (miles) Implementation	
	- <del></del>	~ ~	Priority	
\$77.497	\$261478	\$102.287	Cest (Excludes Property Acquisition/Easement) Trail Costs (See Cost Entlmass Worksheet for Cost Breakdown)	

THE MEMBERS OF A SECTION OF A SECTION ASSESSMENT OF A SECTION OF A SEC



61

# **Estimated Long-Term Costs**

The candidate projects are recommended to be implemented over the next 50 years, or as funding is available. Some of the more expensive projects may take longer to implement.

The total implementation cost is estimated at approximately \$34 million. Approximately \$7 million is for regional trails, \$19 million for trails on collector and arterial roadways, and \$9.3 million for local trails. A complete breakdown of costs is presented in Tables 6 and 7 on the following pages. Again, many trails will likely be implemented as part of property development projects over time. It is important to note that while some of the trail projects can be funded with Federal, State, and regional transportation, safety, and/or air quality grants, many are recreational in nature and must be funded by local or private sources.

Trail Type	Miles*	Cost/mile	Total
Regional Trails	17	\$6,000**	\$102,000
Community Trails	24	assumed as pa roadway mainte	
Local Trails			
Natural Trails	22	\$800	\$17,600
City Trails	17	\$3,000 - \$6.000	\$51,000 - \$102,000
Sidewalks/Accessways	n/a	assumed as pa roadway mainte	

Approximate estimation. Actual trail miles will be determined after a detailed planning process and an engineering/survey analysis.

Table 4. Annual Trail Maintenance Costs

<sup>\*\*</sup> Lower bound cost estimate based on Portland's Springwater Corridor Trail Maintenance costs typically range from \$6,000 - \$10,000 per year. On-street portions of the Regional Trail will undergo routine street maintenance.

Oregon
£
Trails
Master
P

			: !	Table 5	Estimated Costs for Oregon City's Trail Network. Regional Trails	sts for Ore	gon City's T	rail Networ	k. Regional	Trails			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
	1	The same and the same		Samu jabils u0	miles			Spu-ssor)	5-0gs			_			
Trail Name and		Trail miles Construction Trail miles Construction (12) paved) (unpaved)	Widening	Shipe/sign bike lane	Sidewall (6 one side)	Signing	, adk	Type ?•	Type ?"	[ype ]	Other	Preliminally Cost	Design & CM (15%	Prelim - aiv Cost - Design & CM (15학 - Coningency (20학 - Cost	Esumale o
Segments		\$132,000	\$300.000	\$25,000	\$154,800	\$1 500	\$5,000	\$15 000	S10 000	Dei 0.000 000					
T						!									
õ	\$204 000			\$17,750	\$131.708	\$3450		: \$15,000				\$371 ¢68	\$55 711	\$74 292	<b>\$</b> 50: <b>4</b> 01
Newell Creek			3000	<b>C</b> 750		34 350	•	\$15 000			\$1 000 000	\$2 006 BG0	\$301.020	\$42, 360	\$2 709 180
Overage List ago, no	D		- 1				533	000 UE \$	•		\$250,000	\$1,629,134	\$274.370	1355 827	\$2 466 331
R3	\$1,430,400		\$21,000	\$17 500	\$60.954	067 8.4		1000000	-	300 000	: 1		\$40,980	1	335887
Rd Beaver Lake Trail \$163 200	# \$163 200		; ; ; ;				1	415,000	\$ 10 000	1		3675 96b	3101,545	35136 July	
5 Barlow Road Trail \$180,000	\$180,000		\$207.000		3/6/416	000 74		1000				95	\$0		- 35
35 Troney Trail Bridge	ge						·- † -				!			0.000 3.51.5	51 119 F/25
R? Whitemette \$300,000	\$300,000		\$375 000	\$50,000		200, 25		1	  -  -  -	* - 1	2100 000	\$829.500	21/a d/2	0.000	¦«

actus rost will expend on ROW acquisition dramage issues surface selected in includes only the training to add pedestral actuation in includes only the trainisepments within Oregon City's City limits.

"" special conditions that may include bridge construction properly acquisition, and sidewalk construction."

	The state of the s			On-str	On-street miles	 		Crossings	. Per					
	Trail miles Construction Trail miles Construction (12 paved) (unpaved)	rail miles Construction (unpaved)		Widening Stripersign bike lane	Sidewalk/Path	Signing	Type 1	Type 1+	Type 2**		Other	cosi ;	115%  CM	Other Cost (15%) (20%) Contingency Estimate of Iolas (20%)
D Trail Name and Segments	\$300,000	\$132,000	\$300 000	\$25,000	\$184,800	\$1 500 i	000 5\$	\$15,000	000 0.5	\$100 000 ::		_	 	]    - 
	per mite	permile	CP CT IN	De: Hule	Da. H. H.	De. 0. 4	Succession and	1					1 - 1 1 - 2 1 - 2	
											\$200 000 : \$794 000		\$119,100	\$:58.800
L1 Thimble Creek Trail		\$594,000			:							\$540.708	\$81931	\$108 G42
L2 Hoicomb Ridge Loop Trail		\$183,480	\$12 000	\$1,000	536.J.728			1	:			800 00s		\$18.902
LJ Park Place School Trail					\$85 008		\$5,020				-	CER YEA		\$13.672
L& Park Place Park *rail		\$63,360					\$5 000	- † ·	1		\$50,000 \$135,750	1:16.750	\$17.513	\$23,350
LS Par Place Creek Loop		\$66 000				05.5	+	!	1	i	1200	) ) (: أنسب	:	
Park Place Development Trail		•										50	20	ŞE
System							55 000				-	\$170,000	\$25 500	\$ 34,000
L7 Livesay Creek Trait		\$155,000					1 5000			į	\$100,000 \$241,588	\$241.588	\$36 238	\$46 11B
L8 Abernethy Creek Trail				 	\$140 448	\$1:00								16 150
Abemeiny Creek Extension		\$ 32 000					:			1		\$33,000	Z 11 842	\$15 523
1 \$0 Stadium   000 Trail					\$77.616							1, 11, 1		:

000000000000000000000000000000000000000				\$22.176	C8:5			!		527 356	\$3.353	1/6 #5	\$30.181
The Desirable Commercial Commerci				\$101498		\$5.000				\$:06.488	\$16.273	8691.25	\$146.459
T. 1. Control of the				966 965	:		530 000			\$126,056	\$18914	£25.2.9	\$170,230
				535,112			\$15,000		200 067\$	\$440.112	\$66.017	\$88.022	\$594,151
Walerboard - Skiger Cireex				988-59%	0.58		\$15,000	: : : : : :		\$65,106	\$19,766	13021	587,893
1.16 Assemble and Brown State	L			\$5.744		\$5,000				\$ 56 744	\$8.512	\$11.349	\$76,604
1.07 Yealemoard Plant Trail		\$54.120								154 120	\$6.118	\$10874	533,062
116 Center Sireel				\$62.832						\$62.832	\$9.425	112.566	\$84,823
Cod Caneman McLoughlin				\$44.352	1360		:			\$44,712	\$6 707	18 942	\$60,361
SSI One Fra.				\$136.752	51-13	2,000	\$15,000			\$15,862	629 628	572.153	\$213,114
124 Putke Train				5347 424	22 :00	300 5.5	:	\$10,000		\$365.124	\$54.769	\$73.025.	<b>54</b> 82.917
7			3	895 008	\$690		000 515		\$20,000	\$120.598	\$01.813	\$24.145	\$162,942
The Table Co.	\$105.500		9.3	11.03k	0693		<b>54</b> 5 000			\$222.538	533 379	\$44 506	\$300.413
		,			1	1		<u>:</u>		0.5	2	9	2
124 Stewell Creek Tight System				705 673		-				\$42,504	\$6,376	\$8.501	157, 380
South and commercial				\$25.872						\$25.872	\$3.881	\$5.174	\$14.927
1.20 × 3.00 € Cont. 1.50 · · · · · · · · · · · · · · · · · · ·		1 6:61 750				050 075			000 0055		\$165.714	\$220,352	\$1,491,426
		1		:	:	:			300 5.4	_!	\$13.236	\$17.640	070,6112
					35 250		900 5.3			:	\$72 338	354 368	\$651038
d* 0121 - d*	!	200 200 200 200 200 200 200 200 200 200		\$79.454	:	3:000				184 464	012 670	\$16.893	\$114,026
L3U "Lat' C'eet "Id"				\$147.840	72.5		000 51\$			\$164.340	\$24,605	\$32.808	\$221,454
Carrier and garden and an annual control of the con				\$75.58						\$75.768	\$11.365	25 53	\$162,287
33 Connection 2.2	000 th CS			:	5: 650		15 200	300,012		1356 650	\$53.498	\$71.330	Z 193
	1									10000	66.511	C11.481	477 497

## Trail Funding Sources

# Public Funding for Trails

There are a variety of potential funding sources including local, State, regional, and Federal funding programs that can be used to construct or augment the proposed trail improvements. Most of the these are competitive, and involve the completion of extensive applications with clear documentation of the project need, costs, and benefits. Local funding for these projects would typically come from Oregon City, and sudvot potential funding for these projects would typically come from Oregon City.

Table I summanizes public funding sources for Oregon City trails. Some of these funds are restricted to the type of improvements that quality for assistance. It is important to note that many of the funding sources are highly competitive and impossible to determine exactly which projects will be funded by which funding sources. It is also difficult to pinpoint the immig of the projects, due to dependence on competitive funding sources, timing of toadway and development projects, and the overall economy.

## Other Funding Opportunities

Residents and other community members are excellent resources for garnering support and enthusiasm for a trail and the City should work with volunteers to substantially reduce trail implementation and maintenance costs. Local schools, community groups, or a group of dedicated neighbors may use the project as a project for the year, possibly working with a local designer or engineer. Work parties to be formed to help clear the right-of-way where needed. A local construction can be formed to help clear the right-of-way where needed. A local construction will appear over time, such as grants and private funds. The City should look to its will appear over time, such as grants and private funds. The City should look to its will appear over time, such as grants and private funds. The City should look to its will entire the for additional funding ideas to expedite the completion of the trail system.

Program Funding (M. I.M.)  Program Funding (M. I.M.)  Program Fundinated by Oregonal Secretarion and Condinated by Oregonal Secretarion and Conservation and Co	Federal transpondation funds can be coordinated by Metro Funds can be used for Prejudenting. Engineering, Doordinated by Oregon State Parks Funds can be used for ROW acquisition and construction. ROW acquisition and construction. ROW acquisition and construction. ROW acquisition and construction. Coordinated by Oregon State Parks Funds can be used for ROW acquisition and construction.	Fegional, Tonmmon), Fish, Regional South 18 with pinges along soons soons on the soons of the so	Sisey S  Isunch  Isunc
Program Funding (M. I.M.)  Program Funding (M. I.M.)  Program Fundinated by Oregonal Secretarion and Condinated by Oregonal Secretarion and Conservation and Co	coordinated by Metrol Funds can be used for Preiminary Engineering.  ROW acquisition and construction.  Lunds can be used for ROW  Scousition and construction.  Flederal funds coordinated by Cregon  State Parks Funds can be used for State Parks Funds can be used for Coordinated by Cregon State Parks.  Coordinated by Oregon State Parks.  Funds can be used for ROW  ROW acquisition and construction.	projects along codways with regional Clocal Trails Regional, Local Trails Regional Local Trails	IsunnA 2159 <sub>4</sub> S
Recreational Trails Grants  Recreational Trails Grants  Recreational Trails Grants  Recreational Trails Grants  Federal funds condenservation Fund  Federal funds coordinates Conservation Funds  State Parks Funds  CWCE)	Logot for Preiminary Engineering.  HOW acquisition and construction.  Coordinated by Oregon Siste Parks acquisition and construction.  Flederal lunds cooldinated by Oregon State Parks. Funds can be used for State Parks. Funds can be used for ADW acquisition and construction.  Coordinated by Oregon State Parks Funds can be used for ROW Funds can be used for ROW acquisition and construction.	regional classifications Regional Local Trails Regional Local Trails	IsunnA 2159 <sub>4</sub> S
Recreational Trails Grants Recreation and constructor Land and Water Conservation Fund	HOW acquisition and construction Coordinated by Oregon Siste Parks Eunds can be used for ROW acquisition and construction Flade Parks Funds can be used for State Parks Funds can be used for ADW acquisition and construction Coordinated by Oregon Siste Parks Funds can be used for ROW ROMS can be used for ROW	Regional Local Trails Regional, Local Trails	IsunnA 2159 <sub>4</sub> S
Recreational Trails Grants  Funds can be used!  Scquisition and constant that confamily one confamily and confamil	Coordinated by Oregon State Parks acquisition and construction Funds can be used for ROW State Parks Funds can be used for ROW acquisition and construction Coordinated by Oregon State Parks Funds can be used for ROW Acquisition and construction	Pegronal, Local Trails	IsunnA 2159 <sub>4</sub> S
t bacd by services being the body of the b	Funds can be used for ROM acquisition and construction  Federal funds coordinated by Cregon State Parks Funds can be used for ROM acquisition and construction  Coordinated by Oregon State Parks Funds can be used for ROM  Funds can be used for ROM acquisition and construction	Pegronal, Local Trails	s.ea4.Z
acquisition and conservation and consideral lunds coordinated that the binds coordinated the Pederal lunds coordinated that are Parks Funds of Jaw 1998.	acquisition and construction Federal lunds coordinated by Cregon State Parks Funds can be used for ROW acquisition and construction Coordinated by Oregon State Parks Funds can be used for ROW acquisition and construction	Regional Local Trails	s.ea4.Z
Land and Water Conservation Fund   Federal lunds coolding   State Parks Funds	Federal lunds coordinated by Oregon State Parks Funds can be used for State Parks Funds can be used for State Parks Coordinated by Oregon State Parks Funds can be used for ROW acquisition and construction	Regional Local Trails	s.ea4.Z
(LWCF) State Parks Funds (	State Parks Funds can be used for BCR wordination and constituction. Coordinated by Oregon State Parks Funds can be used for ROW acquisition and constitution.	Regional Local Trails	s.ea4.Z
	noduration and construction Coordinated by Oregon State Parks Funds can be used for MOM acquisition and construction		
and applications, WCR	Coordinated by Oregon State Parks Funds can be used for ROW acquisition and construction		
	Funds can be used for ROW acquisition and construction		
, pan- od geo sha]	acquisition and construction	,	s:69√ Z
		,	S169√ S
	ICAUTIBRIAN RODANO VO DAIAIZIUIMOA	amos who immo') legologia	c.n.l =
29/O yd batalsinimbA   sinamachadh.3 hollahogana; [	(TOOO) codebeased to	Regional, Community, some Locai Tia is	
	izuM (TOOO) noitehoganest to	6. 811 18203	
	Serve itansportation need	amos (VirummoQ) (isnoigaA	2 years
	Administered by ODOT's Bicycle and	Foce: 11942 Petitores Continuo m. V. source	mand a
	- Pedestiran Program Must be in	cupi. poot	
WOR Stidug		1/617 (620 ) with among	≥ se teV
	Fees on new construction allocated	Community, Local Trails	03.104
(SDCS) (or backs) sylegist at	for parks, streets, and public		
ании янашалозбил	aldelisve atartW. Striamavorgmi WOR toll basis ad ges about		
	MOR foll beau ad and schollunder acquisition and trait to a schollung and their school in the schollung and their school in the		
		Regional, Community, Local	≥aneV
	Funds can be used for ROM and bos about and	Sire.	
ปฏิราวุธีราช (1995) คลองที่เกลาะเกิดเราติดต	acquisition engineering, design and	6: 6	
	the control of the co	Community, Local Trans	
P 1911 2 2 2 1 2 2 2 2 2 2 2 2 2 2 2 2 2	Part of Itali project must be focated in	constructor of the contract	22.5
	horban renewał district which bas saatio ormonoca nishec steem	•	
	12 врргоуед бу в Тоса! доуеглия		
Apoq .	the state of the s		
	Funding for street crossings and	Community: Local Trails	\$9:15V
	·		
sisnes		Regional, Community, Local	noutsis gal garbna9
	Federal looding avoicing of services along a following a following a service of services of a servic	SERT.	C E
Alages	ріслејь Ріслејь (венцьєх је кибтоль героо)		
		slies T. VinnemmoQ	S years
So Missi as steres.	Federal funding for bicycle and pedestran facilities that reduce		,
samune, deutsabad spuni (OWWD) -	travel by automobile. Recreational		
e Alleradab sarigide)	babbed log are vileranan sautimet		

Table 7. Public Funding Sources for Bicycle, Pedestrian, and Trail Projects

# V. Additional Recommendations









In addition to implementing the proposed trails discussed in the previous chapter, the following action items are recommended to ensure the success of the Oregon City Trails Master Plan.

## Implementation

To oversee implementation of the proposed trail system, it is recommended that staff management, the Parks and Recreation Advisory Committee, and the Natural Resource Committee take leadership roles, and devote at least two meetings annually to Plan evaluation, monitoring, and progress.

## New Development

Develop and adopt City Code to ensure that trail portions are built to recommended standards as part of the land use permitting process. City inspectors should be educated about Oregon City trail standards and trail stung guidelines to ensure that trails are included in the development and are constructed properly.

# **Waterway Trails**

Oregon City has two navigable waterways that are adjacent to the city limits, which are ideal for non-motorized aquatic recreation (i.e., canoeing and kayaking).

- Launches for small non-motorized watercraft should be provided in parks and public spaces that are adjacent to the Willamette and Clackamas Rivers. Launches on Clackamette Cove should be considered when the area is redeveloped.
- Small tie-up areas should be provided so people can visit downtown Oregon
   City and fish on the Willamette River.

#### Trailheads

Good access to the trail system is a key element to its future success. Trailheads (formalized parking areas) serve the local and regional population arriving to the pathway and trail system by car. As seen on the Conceptual Trails Map, this Plan identifies a series of trailhead locations, all in conjunction with major parks and schools. Trailheads provide essential access to the trail system and provide amenities

like parking, restrooms, and signage for trail users. Additional trailhead siting will occur with further planning processes for individual projects.

## Signage

A comprehensive signage and directional system should be developed to inform and educate users about the trail and pathway system. This program should include a unique sign that delineates the Oregon City Trail network theme. Opportunities for interpretive information could include the history of Oregon City and its early pioneers; mills and shipping; historic sites, information about native flora and fauna; water quality; geologic formations; drainage and flow of water systems; bicycle and pedestrian safety and awareness; history of the Willamette and Clackamas rivers and native populations. Comprehensive and innovative signing systems make trail networks outstanding.

Signs should also be created to warn either motorists of bicyclists and pedestrians or caution bicyclists and pedestrians of oncoming motor vehicles.

Kiosks could be placed along some trails and at major trailheads, such as Mountainview Cemetery, Canemah Park, and Clackamette Park, that include a map and other helpful information about the route, safety, and the city. A sample is provided in the *Design Guidelines* section of this Plan.

#### Education

Numerous educational opportunities exist to use the trail system for educational purposes about history, culture, science, and safety. The trail projects are more likely to attract foundation funding specific to education if education is incorporated into project design.

Establish bicycle and pedestuan safety programs that will teach bicycle safety to children, adults, and other groups that encounter bicyclists and pedestrians. A specific curriculum geared for each audience, along with a handbook or other literature, is recommended.

Link to local youth participation programs, such as the Girl and Boy Scouts for educational opportunities, adopt-a-trail, trailside plantings, and other activities.

#### Other Master Plan Processes

The following projects need to undergo Master Planning processes in order to identify the feasibility, cost, and funding availability of each project:

- · Oregon City Loop Trail
- Newell Creek Canyon Regional Trail
- Newell Creek Canyon trails
- Barlow Road Trail

#### Maintenance Guidelines and Costs

The following table summarizes a recommended maintenance schedule for the Oregon City Trail system. These guidelines address maintenance on the off-street portions of the trails. On-street portions should be maintained per the standards of the responsible jurisdiction.

Item	Frequency
Inspections	Seasonal - at both beginning and end of summer
Signage Replacement	1 - 3 years
Pavement Markings Replacement	1 - 3 years
Major damage response (fallen trees, washouts, flooding)	Schedule based on priorities
Pavement Sealing, Potholes	5 - 15 years
Introduced tree and shrub plantings, trimming	Every 1- 3 years
Culvert Inspection	Before winter and after major storms
Cleaning Ditches	As needed
Trash Disposal	Weekly during high use, twice monthly during low use
Lighting Luminaire Repair	Once a year
Pavement Sweeping/Blowing	As needed, before high use season. Weekly in fall.
Maintaining culvert inlets	Inspect before the onset of the wet season, then again in early fall
Shoulder plant trimming (weeds, trees, brambles)	Twice a year: middle of growing season and early fall
Waterbar maintenance (earthen trails)	Annually
Site furnishings, replace damaged components	As needed
Graffiti Removal	Weekly, as needed
Fencing Repair	Inspect monthly for holes and damage, repair immediately
Shrub/Tree Irrigation for introduced planting areas	Weekly during summer months until plants are established
Litter Pick-up	Weekly for high use, twice a month for low use

Table 8. Maintenance Tasks and Frequency of Need

- Powerline Trail
- Canemah Bluff (Metro property and links to Oregon City)
- · Parks Trail and the Wesley Lynn Chapin Trail
- Park Place UGB expansion area trails
- · Livesay Creek Trail

#### Safe Routes to School

Nationwide, communities are developing programs to improve the safety and ability of children to bicycle and walk to school. Federal money may be available in the future as a part of the transportation budget for projects that improve direct access to schools.

This Plan includes a trail connection to every school in Oregon City. Complementary to that would be the development of a local safe routes to school program. The toolbox of potential solutions includes:

- · signal timing modifications
- curb extensions and median islands
- traffic calming
- markings and signage
- · trails, sidewalks, bicycle lanes, and other facility improvements
- crosswalks
- · crossing guard programs
- safe routes to school maps
- escorted bike and walk groups
- educational safety curriculums
- outreach programs to encourage safe driving.

## Oregon City Trails Visioning Workshop Comments

January 14, 2004 6:00 – 8:00 PM Pioneer Community Center

#### Attendees:

Jerry Herman Dianne Kosboth Lois Kiefer Alison Himmelwitz Ralph Kiefer George Kosboth Liz Crane Sha Spady Dean Walch Lango Hansen Richard Craven Bill Woods Doug Neeley Kathy Franco Shawn Dachtler Thelma Haggenmiller Marcia Sinclair

#### Facilitators:

Dec Craig, Oregon City Parks and Recreation Jim Row, Oregon City Parks and Recreation Larry Potter, Oregon City Public Works Department Allison Wildman, Alta Planning + Design George Hudson, Alta Planning + Design

Notes (from notations made on aerials with trails. Names of trails taken from Oregon City Base Map):

- Near Clackamas Community College, there is a jogging trail that can be connected to the Oregon City Loop regional trail.
- O Near the Oregon City H.S. freshman campus, there are maintenance roads.
- o Newell Creek Trail needs to stay on the canyon rim.
- O Stay out of the ravine for the Newell Creek Trail.
- O Newell Creek Trail has a viewing point for good views of Mt. Hood.
- o The land around the Newell Creek Trail is city owned.
- O Newell Creek Trail should continue into Mountainview Cemetery and go out to Molalla Ave.
- East of the Beaver Creek Trail, there are Old Molalla railway easements.
- O Ogden Middle School is a destination.

- Just NW of Ogden MS, there is a culvert that can be walked through that runs under HWY 213, connecting Newell Creek Trail and Beaver Creek Trail
- o A connection should be made from Holcomb Blvd to Clackamette Heights Trail
- Holcomb Blvd has no sidewalks.
- O The Barlow Alternative Trail is a MUST.
- o North of Holcomb Blvd from Winston Dr (just south of Armel) there is county concern over loss land of Oregon Trail.
- O There will be a future road that connects Holcomb Blvd near the town line with a new town center that will be south of Livesay Rd.
- O The Oregon Trail runs nearby Holcomb Elementary School
- O There is easement trail potential along that part of Oregon Trail, heading NW towards Hunter Ave.
- O There needs to be a connector between Park Place Elementary School and the nearby trail.
- O The Cometery City Park near where Hwy 213 and train tracks intersect is a destination.
- O Just NE of the new Amtrak station (across from End of Oregon Trail Center) is a Metro wetlands with a small loop trail and info klosk.
- O Tie in Barclay Park via 12th.
- O. Create a loop between Barclay Park, the Swimming pool, and Atkinson Park.
- O A connection is needed between Canemah Park and Old Canemah Park.
- o Access to Canemah Cemetery.

# Oregon City Trails Public Open House Comments

March 10, 2004 6:00 – 8:00 PM Pioneer Community Center

#### Facilitators:

Dee Craig, Oregon City Parks and Recreation Jim Row, Oregon City Parks and Recreation Larry Potter, Oregon City Public Works Department Allison Wildman, Alta Planning + Design George Hudson, Alta Planning + Design

#### Written Comments:

"I live on South End and Warner Parrott. As a part of the Trails Master Plan. I would like to see improved/added BIKE LANES along main roads, connecting to shopping areas (Fred Meyer, etc.) and historic downtown. Also, there are many rough walking paths that connect the Rivercrest Neighborhood to the historic downtown. I believe these trails run through Waterboard Park. I would like to see these paths upgraded so that they are more inviting to users. As they are, they feel a bit isolated. Samost like you wonder if you should be there. Accessing historic downtown from

these trails is much more convenient as a pedestrian than going by road. .. which gets me back to BIKES LANES!"

'Proposed trail extensions: extending from Metro Trailhead in the Canemah Children's Park, going directly below and parallel with South End Road, crossing over Miller Avenue at Coffee Creek, and going into the Old Canemah Park."

"Newell Creek – West side – only one trail through center of Newell Creek and one on the ridge; East side – follow old RR berm."

"Need crossing light for 99E north to 205 north."

"Newell Creek - Keep trail on east side of Highway 213 on old RR berm."

# VII. References

Budhabhatti, J. 2004. Metro Regional Government. Personal communication with Sarah Harting, Adolfson Associates. April 2004.

Department of State Lands (DSL). 2004. Eisential Indigenous Anadromous Salmonid Habitat. Available at (http://statelands.dsl.state.or.us/esshabitat.htm). Site accessed April, 2004.

Devroy, L. 2004. Department of State Lands. Personal communication with Sarah Hartung, Adolfson Associates. April 2004.

Environmental Laboratory. 1987. Corps of Engineers Wellands Delineation Manual. Technical Report Y-87-1, US Army Engineer Waterways Experiment Station, Vicksburg, MS.

Fritts, G. Clackamas County. Personal communication with Sarah Hartung, Adolfson Associates. April 2004.

Geng, A. 1985. Soil Survey of Clackamas County Area, Oregon. Soil Conservation Service, United States Department of Agriculture

John Inskeep Environmental Learning Center. 2003. Newell Creek Watershed

Restoration and Conservation Strategy. Prepared for the City of Oregon City.

Konkol, T. City of Oregon City. Personal communication with Sarah Hartung, Adolfson Associates. April 2004.

Oregon City Geographic Information Systems database (2001-2004)

Oregon City End of the Trail Interpretive Center – (Internet resource; accessed February, 2004) <a href="http://www.endoftbeoregontrail.org/">http://www.endoftbeoregontrail.org/</a>

Oregon Department of Fish and Wildlife (ODFW). 2000. Oregon Guidelines for Timing of In water Work to Protect Fish and Wildlife. Salern, Oregon.

Morrow, S. Department of State Lands. Personal communication with Sarah Hartung, Adolfson Associates. April 2004.

After Hydrick

Natural Resources Conservation Service (NRCS). 2000. Flydric Soils List, Clackamas County, Oregon: Detailed Soil Map Legend. United States Department of Agriculture.

NOAA Fisheries. 2004. Species Listed under the Endangered Species Act of 1973. Available at (http://www.nmfs.noaa.gov/piot\_res/species/ESA\_species.huml). Site accessed April, 2004.

Shapiro and Associates. 1999. Oregon City Local Wetland Inventory and Riparian Assessment. Available at: 320 Warner Milne Road, Oregon City, Oregon.

U.S. Fish and Wildlife Service (USFWS). 1981. National Wetlands Inventory: Oregon City Quadrangle. Portland, Oregon.

U.S. Fish and Wildlife Service (USFWS). 2004. Federally listed species that may occur in Clackamas County. Portland, Oregon.

#### **Tony Konkol**

From: Sant: Kevin Cronin (Kevin Cronin@state or.us) Monday, June 21, 2004 3 05 PM

Tony Konkol

Subject:

RE Traiis Master Plan - L 04-01/02

#### Hi Tony:

I received your notice of proposed amendments for the two files referenced above.

DLCD does not have any rules or statutes related to parks planning other than guidelines under Goal 8 and OAR 660-034.

Alta does pretty nice work and it looks like you got your money's worth.

Wilsonville is completing a trails master plan for their crown jewel. Mayer Reed is the landscape architect. I provided general comments on this proposal and can forward them to you since they may apply to this plan. It might be worth a look see to compare approaches.

From my perspective, both plans are heavy on planning and design, but too light on maintenance and actual construction. Volunteer efforts should be the focus since these are non-essential services. To this end, consider using transportation SDCs, in addition to parks SDCs, to fund improvements and encourage multi-modal use.

Good luck with the adoption process and let us know how we can assist you in your efforts.

Kevin A. Cronin, AICP Metro Area Field Representative Oregon Department of Land Conservation and Development 800 NE Oregon Street, #18 Fortland, OR 97232

PH: 503-731-4065 x-25

FX: 503-731-4068

E-mail: kevin.cronin@state.or.us

Web: www.lcd.state.or.us

PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

Phone: (503) 657-0891 Fax: (503) 722-3880

TRANSMITTAL

June 18, 2004

HOUSE DISTRIBUTIO BUILDING OFFICIAL		MAIL-OUT DISTRIBUTION ダ CICC
ENGINEERING MAN		Z NEIGHBORHOOD ASSOCIATION (N A ) CHAIR ALL
FIRE CHIEF		g N A LAND USE CHAIR
PUBLIC WORKS- OPE		af CLACKAMAS COUNTY - Joe Marek af CLACKAMAS COUNTY - Ken Kent
CITY ENGINEER/PUB TECHNICAL SERVIC	BLIC WORKS DIRECTOR	☐ ODOT - Sonva Kazen
PARKS MANAGER	E3 (OI3)	ODOT - Gary Hunt
ADDRESSING		a SCHOOL DIST 62
POLICE		a TRI-MET
FFIC ENGINEER		
Mike Baker @ DEA		□ OREGON CITY POSTMASTER
_		a DLCD
IRN COMMENTS TO	Tony Konkol, Ass	ociate Planner
MENTS DUE BY:	July 14, 2004	
RING DATE		on July 26, 2004. City Commission: August 18, 2004
RING BODY	Staff Review;	_XX_PC; _XXCC Legislative Action
FERENCE TO		
# & TYPE:	L 04-01	
INER.	Tony Konkol, Associate Pla	
ICANT	Oregon City Parks and Recr	eation
(EST)	•	Trails Master Plan as an ancillary document to the Parks and
THON	Recreation Master Plan	
TION.	City Wide	
contact the Planning I ing this proposal. If yed copy of this form	Department Your recommendation wish to have your comment	nation, study and official comments. If extra copies are required, tions and suggestions will be used to guide the Planning staff when a considered and incorporated into the staff report, please return the of this application and will insure prompt consideration of your w
The pro	posal does not	The proposal conflicts with our interests for
•	with our interests	the reasons stated below
		The following stome are missing and are
The pro- interest	posal would not conflict our sifthe changes noted below	The following items are missing and are needed for review:
are incl	uded.	
**************************************		~ O
	Signed Age Y	Etw of Connecty Leaven
	Title _ New	cly of consisily service
		<del>-</del>

PLEASE RETURN YOUR COPY OF THE APPLICATION AND MATERIAL WITH THIS FORM

# CITY OF OREGON CITY - PLANNING DIVISION

PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

Phone: (503) 657-0891 Fax: (503) 722-3880

## TRANSMITTAL

June 18, 2004

AOUSE DISTRIBUTION

MAIL-OUT DISTRIBUTION

BUILDING OF	FICIAL	Ø CICC
ENGINEERING	G MANAGER	NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR gu
FIRE CHIEF		B N A. LAND USE CHAIR
PUBLIC:WORK	(S- OPERATIONS	DZ CLACKAMAS COUNTY - Joe Marek
	ER/PUBLIC WORKS DIRECTOR	CLACKAMAS COUNTY - Ken Kent
	ERVICES (GIS)	ODOT - Sonya Kazen     ODOT - Corn Unit
PARKS MANA	GER	<ul><li>ODOT - Gary Hunt</li><li>SCHOOL DIST 62</li></ul>
ADDRESSING		
POLICE		□ TRI-MET □ METRO - Brenda Bernards
AFFIC ENGINE		OREGON CITY POSTMASTER
Mike Baker @ I	UEA	p DLCD
TURN COMMEN	NTS TO: Tony Konkol, Asso	
MMENTS DUE	1 1 14 2004	
ARING DATE:	Planning Commissio	n: July 26, 2004; City Commission: August 18, 2004
ARING BODY:	Staff Review;	XX_PC; _XXCC Legislative Action
REFERENCE TO	)	
E # & TYPE:	L 04-01	
N) 3:	Tony Konkol, Associate Plan	nner
'LICANT:	Oregon City Parks and Recr	eation
(UEST:		Trails Master Plan as an ancillary document to the Parks and
	Recreation Master Plan.	
CATION:	City Wide	
se contact the Pl awing this propo- hed copy of th	anning Department. Your recommenda	mation, study and official comments. If extra copies are required, tions and suggestions will be used to guide the Planning staff when s considered and incorporated into the staff report, please return the of this application and will insure prompt consideration of your w.
/	The proposal does not	The proposal conflicts with our interests for
_	conflict with our interests.	the reasons stated below.
Please sc.	The proposal would not conflict our interests if the changes noted below are included.	The following items are missing and are needed for review:
this plan	is adopted of close to	Thanks.
	Signed Jun- Title June	La Seuro 7/6/04 Fins Manger
PLEASE	RETURN YOUR COPY OF THE AL	PPLICATION AND MATERIAL TO THE PROPERTY OF THE
		Exhibit

# PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

Phone: (503) 657-0891 Fax: (503) 722-3880

## TRANSMITTAL

June 18, 2004

ER TIONS C WORKS DIRECTOR (GIS)	MAIL-OUT DISTRIBUTION  CICC  NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR  N.A. LAND USE CHAIR  CLACKAMAS COUNTY - Joe Marek  CLACKAMAS COUNTY - Ken Kent  ODOT - Sonya Kazen  ODOT - Gary Hunt
TIONS C WORKS DIRECTOR	NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR N.A. LAND USE CHAIR CLACKAMAS COUNTY - Joe Marek CLACKAMAS COUNTY - Ken Kent ODOT - Sonya Kazen
TIONS C WORKS DIRECTOR	B' N'A LAND USE CHAIR  CLACKAMAS COUNTY - Joe Marek  CLACKAMAS COUNTY - Ken Kent  ODOT - Sonya Kazen
O WORKS DIRECTOR	B' N'A LAND USE CHAIR  CLACKAMAS COUNTY - Joe Marek  CLACKAMAS COUNTY - Ken Kent  ODOT - Sonya Kazen
O WORKS DIRECTOR	CLACKAMAS COUNTY - Ken Kent  ODOT - Sonya Kazen
	a ODOT - Sonya Kazen
(GIS)	·
	n ODOT - Gary Hunt
	·
	a SCHOOL DIST 62
	.⊃ TRI-MET
	O OREGON CITY POSTMASTER
	o DLCD
	ociate Planner
July 14, 2004	20.004
Planning Commission	an July 26, 2004, City Commission: August 18, 2004
Staff Review;	_XXPC; _XXCC Legislative Action
. 04-01	
Tony Konkol, Associate Pla	nnet
Dregon City Parks and Recr	cation
	Trails Master Plan as an ancillary document to the Parks and
Recreation Master Plan	
City Wide	
artment. Your recommenda wish to have your comment facilitate the processing of	mation, study and official comments. If extra copies are required, tions and suggestions will be used to guide the Planning staff when a considered and incorporated into the staff report, please return the of this application and will insure prompt consideration of your w
al door not	The proposal conflicts with our interests for
	the reasons stated below.
If our interests.	
al would not conflict our the changes noted below d.	The following items are missing and are needed for review:
	Staff Review;

PLEASE RETURN YOUR COPY OF THE APPLICATION AND M

# CITY OF OREGON CITY - PLANNING DIVISION

PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

Phone: (503) 657-0891 Fax: (503) 722-3880

#### TRANSMITTAL

June 18, 2004

	June	, 10, 2004		
HOUSE DISTRIBUTIO!	V	MAIL-OUT DISTRIBUTION		
BUILDING OFFICIAL		a cicc	(11.15)	
ENGINEERING MANA	GER	NEIGHBORHOOD ASSOCIATION (N.A.) C	HAIR A	LL
FIRE CHIEF		M N A LAND USE CHAIR	ر.	
PUBLIC WORKS- OPER		Or CLACKAMAS COUNTY - Joe Marek		
	LIC WORKS DIRECTOR	© CLACKAMAS COUNTY - Ken Kent		
TECHNICAL SERVICE	S (GIS)	□ ODOT - Sonya Kazen		
PARKS MANAGER		G ODOT - Gary Hunt		
ADDRESSING		u SCHOOL DIST 62		
POLICE		<ul><li>□ TRI-MET</li><li>□ METRO - Brenda Bernards</li></ul>		_
AFFIC ENGINEER		OREGON CITY POSTMASTER	ुके 7,3 <del>ज</del> ा	70
Mike Baker @ DEA		DLCD		ے
	Tony Konkol, Ass		Fig	NUC
TURN COMMENTS TO		gerate Franker	66	23
MMENTS DUE BY:	July 14, 2004	1.0000000000000000000000000000000000000	DE T	
ARING DATE	Planning Commission	on: July 26, 2004, City Commission. August 18, 2004	4	圣
ARING BODY:	Staff Review;	_XX_PC; _XXCC Legislative Action	野で	ب
			بجند	25
REFERENCE TO	1 04 01			
E#&TYPE:	L 04-01 Tony Konkol, Associate Pla	nner		
ANNER:	Oregon City Parks and Recr			
PLICANT QUEST.	Adoption of the Oregon City	y Trails Master Plan as an ancillary document to the Pa	rks and	
γυσοι.	Recreation Master Plan	, •		
CATION:	City Wide			
	•			
ise contact the Planning D ewing this proposal. If yo ched copy of this form	epartment. Your recommenda	mation, study and official comments. If extra copies tions and suggestions will be used to guide the Plannis considered and incorporated into the staff report, ple of this application and will insure prompt considerate.	ng statt ase retur	n the
	osal does not with our interests.	The proposal conflicts with our interests for the reasons stated below.	Σ	
The prop	osal would not conflict our if the changes noted below	The following items are missing and are needed for review:		
tazo Grave	neetling Turn	NA would like to bear pa	<u> </u>	
	Signed Sath	y Hogan		
PLEASE RETUR!	N YOUR COPY OF THE AI	PLICATION AND MATERIAL WITH THIS FOR	м	

#### Summary of Household Survey

Listed below is a summary of the recreation survey.

- In summary, there were 498 questionnaires returned from 244 households in the Oregon City area. This represented a return ratio of 57.2%.
- The highest percentage of the responses (40.8%) originated from Area C (Canemah/South End). The lowest percentage (6.8%) came from Area A (Park Place)
- Compared to the 1990 Census profile, there were a higher number of responses in the 10-14 and 45-54 age groups and a lower number of responses in the 18-24, 25-34 and 65 + age groups. However, if the sample percentages were adjusted by the change in the time increment, it would closely match the Census profile.
- Nearly 50% of the residents have lived in Oregon City for more than 11 years, with nearly a quarter of the residents residing in the City for more than 20 years.
- Clackamette Park is the most heavily used recreation area in the community (only 19.9% do not use the park). School Playgrounds/Gymnasiums and Chapin are the most <u>frequently</u> used recreation areas.
- On a scale of 1-10, with 10 being the highest, a majority of the respondents rated the upkeep and maintenance of the parks and cemetery between a 7 and 8.
- When asked what improvements are needed in the existing parks, the most common responses were: upgrade the playground equipment and restrooms; increase the level of development (add basketball courts, picnic areas, ballfields, tennis courts, trails, etc.), add additional support facilities, and improve security.
- The most common reason residents travel outside the City for recreation purposes is to participate in soccer, baseball and basketball.
- Most of the respondents rated the importance of open space very high. In fact, on a scale of 1-10, a majority of the respondents ranked open space between a 9 and 10. When asked what type of open space, "land along the Clackamas and Willamette Rivers" received the most support.



 Approximately 45% of the respondents cited "off street paved trails for bicycling, walking, in-line skating, etc" as the preferred type of trail.



# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER MILNE ROAD TEL 657-0891

OREGON CITY, OREGON 97045

FAX 657-7892



L 04-02

APPLICATION TYPE:

Legislative

HEARING DATE:

July 26, 2004

7:00 p.m., City Hall 320 Warner Milne Road Oregon City, OR 97045

APPLICANTS/

OWNERS:

City of Oregon City

Dee Craig, Park and Recreation Director

320 Warner Milne Road Oregon City, Oregon 97045

APPLICANT'S

REPRESENTATIVE

Same.

REQUEST:

Adoption of the Canemah Neighborhood Park Master Plan as an

Ancillary document to the Oregon City Parks and Recreation Master

Plan, an Ancillary document to the City's Comprehensive Plan.

LOCATION:

3S-1E-01, tax lots 800, 900, 1000 and 1100 (Exhibit 1)

REVIEWER:

Tony Konkol, Senior Planner

RECOMMENDATION:

Staff recommends approval of this application based on the satisfaction

of all required criteria for a Legislative action.

Legislative actions involve the adoption or amendment of the city's land use regulations, comprehensive plan, maps, inventories and other policy documents that affect the entire city or large portions of it. Legislative actions which affect land use must begin with a public hearing before the planning commission.

B. Planning Commission Review.

- 1. Hearing Required. The planning commission shall hold at least one public hearing before recommending action on a legislative proposal. Any interested person may appear and provide written or oral testimony on the proposal at or prior to the hearing. The planning manager shall notify the Oregon Department of Land Conservation and Development (DLCD) as required by the post-acknowledgment procedures of ORS 197.610 to 197.625, as applicable.
- 2. Planning Manager's Report. Once the planning commission hearing has been scheduled and noticed in accordance with Section 17.50.090(C) and any other applicable laws, the planning manager shall prepare and make available a report on the legislative proposal at least seven days prior to the hearing.

3. Planning Commission Recommendation. At the conclusion of the hearing, the planning commission shall adopt a recommendation on the proposal to the city commission. The planning commission shall make a report and recommendation to the city commission on all legislative proposals. If the planning commission recommends adoption of some form of the proposal, the planning commission shall prepare and forward to the city commission a report and recommendation to that effect.

C. City Commission Review.

- 1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.
- 2. Notice of Final Decision. Not later than five days following the city commission final decision, the planning manager shall mail notice of the decision to DLCD in accordance with ORS 197.615(2). (Ord. 98-1008 §1(part), 1998)

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT TONY KONKOL IN THE PLANNING DIVISION OFFICE AT 657-0891.

#### PROPOSED PROJECT I.

The Canemah Neighborhood Park Master Plan (Plan) proposes improvements for a 1.5-acre open space in the Canemah neighborhood. The 1.5-acres includes an existing neighborhood park, the Paquet Street right-of-way and a 1-acre parcel owned by Metro, but managed by the City of Oregon City through a memorandum of understanding. The goal of the master plan is to create a small multi-use neighborhood park that provides a transition to an adjacent 38-acre (Metro owned) natural area.

Park improvements are design to encourage a variety of uses, respond to safety concerns, take better advantage of the site's natural setting and views, provide a gateway to the natural area and recognize the natural and cultural history of the site and surrounding neighborhood (Exhibit 2).

The Canemah bluff, adjacent to the Canemah neighborhood, has been designated by Metro as a "regionally significant natural area site" and is subject to policies issued in the Metropolitan Greenspaces Master Plan. Park improvements on the Metro property must not endanger wildlife habitats and provide passive recreational opportunities that support ecological values.

The site is within the Canemah Historic District, which is on the National Register for Historic Places. The Oregon City Code states, "no major public improvements shall be made in a district unless approved by the Historic Review Board and give a certificate of appropriateness". In addition to respecting the ecology of the area, the execution of the Plan shall respect the history of the area. This is particularly relevant to any structures placed on the site such as picnic shelters, play equipment and interpretive signage or kiosks.

#### **FACTS** П.

#### Location and Current Use A.

The project area sits atop Canemah Ridge which is defined on the north by basaltic cliffs which have been carved by the Willamette River and by more recent blasting to enable the widening of Highway 99E. The eastern portion of the project area is the existing Canemah Park, a children's park, which includes tax lots 800 and 1100 and the Paquet Street right-of-way. Adjacent to the park to the west is the 1-acre parcel of land (lots 900 and 1000) owned by Metro, but managed by the City.

Canemah Park is approximately 0.61-acres, inclusive of the Paquet Street right-of-way and has been developed incrementally over time and does not support an overall plan with regard to use and circulation. The topography dips greatly making it extremely challenging to even play catch. Much of the space is unusable and unfortunately wasted in a neighborhood where rocky outcroppings and extreme slopes limit usable backyard space.

The park sits high above Highway 99E and overlooks the Willamette River, but under story overgrowth prohibits openings to the panoramic view. A low chain link fence is providing temporary restraint along the cliff edge. Park limits and access are poorly delineated. The gravel parking areas is loosely defined by the crumbling asphalt road edge and there is no designated pedestrian rout or entry into the space.

Park elements consist of a very small pen lawn area interrupted by trees in poor health, a half basketball court, aging playground equipment, a small parking area and a picnic shelter. The picnic shelter is about a year old and fixed in its current location. The Plan must be designed around the shelter.

#### Public Involvement and Public Comment B.

The Plan is a result of information sharing between the neighborhood, park users and the designers to ensure a successful Plan that responds to the needs and concerns of neighboring residents and the stakeholders. Canemah residents were invited by mail to participate in two workshops and to attend a draft master plan presentation to the Parks and Recreation Advisory Committee (PRAC).

Notice of the proposed Plan was mailed to property owners within 300 feet of the subject site on June 16, 2004, the property was posted and the Planning Commission and City Commission hearing dates were advertised in the Clackamas Review on June 23, 2004. Comments were received from the Parks Manager (Exhibit 3) and the McLoughlin Neighborhood Association (Exhibit 4) indicating that the proposal does not conflict with their interests. The Oregon City Public Works Department (Exhibit 5) and the Oregon City Engineering Department (Exhibit 6) submitted comments indicating the apparent need for restrooms on the site. The Department of Land Conservation and Development submitted comments indicating that additional information should be provided concerning maintenance and construction of the project and recommended that volunteer efforts should focus on providing non-essential services (Exhibit 7).

#### DECISION-MAKING CRITERIA: III.

Chapter O of the 1982 Oregon City Comprehensive Plan, Comprehensive Plan Maintenance and Update, contains criteria for approving changes to the comprehensive plan and plan map. Review of the comprehensive plan should consider:

- 1. Plan implementation process.
- 2. Adequacy of the Plan to guide land use actions, including an examination of trends.
- 3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
- 4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

The Canemah Neighborhood Park Master Plan will be adopted as an ancillary document to the Parks and Recreation Master Plan, which is an ancillary document to the Comprehensive Plan.

#### ANALYSIS AND FINDINGS IV.

#### Chapter O. Comprehensive Plan Maintenance and Update A.

Regular Review and Update

Another method of Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider:

1. Plan implementation process;

A public involvement process comprised of two workshops and a third meeting with the Parks and Recreation Advisory Committee was established to gather community input concerning the redevelopment and design of the park. The initial meeting with the public introduced the project, described the master plan process and initiated a dialogue to discuss the goals and objectives for the park. The objective of the meeting was to identify additional issues and to gather social, cultural and historical information about the site. The designers did not present any plans at this stage and instead showed existing conditions maps, aerials and site photographs.

The designers utilized the information from the first workshop to create two master plan alternatives that were presented at the second workshop. This meeting provided an opportunity for citizens to discuss the pros and cons of each alternative and begin to establish a more concrete vision for the master plan.

At the third workshop with the citizens and PRAC, the designers presented the draft master plan, which incorporated changes that represent the responses to Options A and B from the second workshop. The Plan brought forward was recommended to be presented to the Oregon City Planning Commission by both the citizens and PRAC. The draft Plan was presented to the Oregon City Historic Review Board on June 8, 2004 and there was no opposition to the proposal. The review board looked forward to reviewing the Site Plan and Design Review when the detailed plan is prepared.

The public hearings for the proposed plan was advertised in the Clackamas Review on June 23, 2004 and mailed to affected agencies, the CIC and Neighborhood Associations on June 18, 2004 indicating that the Planning Commission would hold a public hearing on July 26, 2004 and that the City Commission would hold a public hearing on August 18, 2004. The notice indicated that any interested party may testify at the public hearing or submit written testimony at or prior to the hearing. The Department of Land Conservation and Development was notified as required by ORS 197.610 – 197.625. The Planning Manager's report was made available at least seven days prior to the public hearing and the application was processed according to the Legislative Hearing Process as required under Oregon City Municipal Code 17.50.170.

2. Adequacy of the Plan to guide land use actions, including an examination of trends. The proposed Plan provides a framework for the development of the site and will serve as a guide for the Site Plan and Design Review application that will be submitted to the city for review prior to development of the site. The Plan provides details concerning the general location and design of the active and passive uses on the site, including a play area and basketball court, parking, picnic areas, trails, sitting areas and an overlook. The proposed Plan, if approved, will provide sufficient detail and is adequate to guide the future land use actions on this site (Page 7 of Exhibit 2).

3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.

The Parks and Recreation Master Plan served as a guiding document in the development of the Plan. The Parks and Recreation Master Plan was developed by utilizing the applicable Comprehensive Plan goals and objectives, the Capital Facilities Improvement Plan, Stormwater Master Plan, Metro Greenspaces Program, the End of the Oregon Trail Master Plan and a series of public workshops and open houses to ensure that there was input and public involvement from a variety of citizens and their interests are represented.

The Parks and Recreation Master Plan indicates that Canemah Park is an existing 0.34 acre park site located in the Historic Canemah District along the west portion of the City (Exhibit 7). This is an established neighborhood and consists of single homes. The terrain in this area consists of moderate to steep hillside that overlook the Willamette River. This neighborhood is somewhat separated from the rest of the community and thus needs its own recreation area. The current park is limited in both size and facilities and includes a children's playground, open play area and a basketball court.

There are two suggested approaches to meeting park needs in this neighborhood. The first option is to explore the feasibility of acquiring additional land south of the park. This would then create a park large

enough to develop a typical neighborhood park. The site could then also serve as a trailhead for the Canemah Bluff Open Space and Trail System. Under this option, improvements should include:

- 1) Develop a dedicated picnic area;
- 2) Construct an internal paved pathway system for ADA access;
- 3) Add landscaping and trees;
- 4) Add a multi-purpose field;
- 5) Add a trailhead and support facilities; and
- 6) Provide a parking area.

The second option is to attempt a trade with Metro. This agency recently acquired land to the south for open space. Part of this would be suitable for a neighborhood park. As a trade, the City could offer land in the Newell Creek area.

The development of the Plan included an assessment of the conditions of the existing park's facilities and facility deficiencies. The Plan provides upgrades to the facility deficiencies and implements option one that was identified in the Parks and Recreation Master Plan, and based on the workshops that were held and support of the Plan by the citizens and PRAC, reflects the needs and desires of the affected neighbors and larger community.

4. Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.

The proposed plan responds to needs revealed by the Parks and Recreation Master Plan and input provided through the public involvement process. These needs are documented in the Existing Conditions section of the Plan (Page 3 of Exhibit 2) and Page VII-21 of the Parks and Recreation Master Plan (Exhibit 8). The plan also responds to future trails systems and parks that may be developed on the Metro natural area adjacent to the subject site.

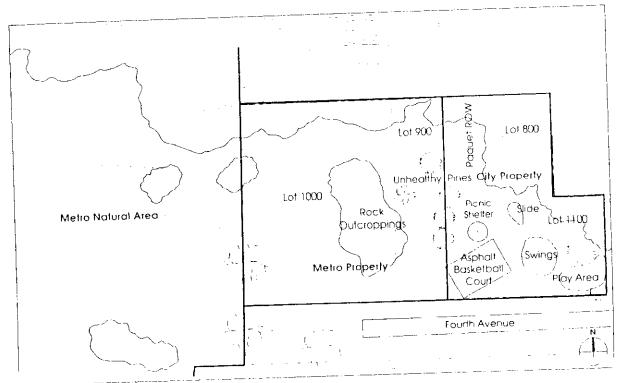
The 38-acres of Metro land will be managed by Metro as a natural area. A large contiguous forest, diverse system of wetlands, seeps and rocky cliffs characterize this property. Metro has undertaken restoration efforts of the area and user trails have developed on the site and local residents regularly use the area for walking.

## RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the Canemah Neighborhood Park Master Plan included as Exhibit 1 as an ancillary document to the 1999 Parks and Recreation Master Plan to the City Commission for its consideration at the August 18, 2004 hearing.

#### **EXHIBITS** VI.

- 1. Vicinity Map
- 2. Canemah Neighborhood Park Master Plan
- 3. Director of Community Services comments (On File)
- 4. McLoughlin Neighborhood Association comments (On File)
- 5. Oregon City Public Works Department comments
- 6. Oregon City Engineering Department comments
- 7. Department of Land Conservation and Development comments
- 8. Parks and Recreation Master Plan excerpt (Full Report On File)



Canemah Park and transition area to Metro property

#### Project Location

The project area is shown on the northeast corner of the vicinity map and outlined in white. It sits atop Canemah Ridge which is defined on the north by basaltic cliffs which have been carved by the Willamette River and by more recent blasting to enable the widening of Highway 99E. The eastern portion of the project area is the existing Canemah Park, a children's park, which includes tax lots 800 and 1100 and the Paquet Street rightof-way (see map on page 3). Adjacent to the park to the west is the 1-acre parcel of land (lots 900 and 1000) owned by Metro. but managed by Oregon City Parks and Recreation (through an intergovernmental agreement). This parcel will serve as a transitional open space area between the more active park space to the east and 38 acres of Metro land to the west.

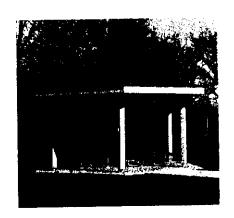
#### Metro Natural Area

The 38 acres of Metro land will be managed by Metro as a natural area. A large contiguous forest, diverse system of wetlands, seeps and rocky cliffs characterize this property. Metro has undertaken restoration efforts of the area which include scotch broom and blackberry removal. User trails have developed on the site and local residents regularly use the area for walking. Unfortunately, the site has also attracted misuse by vandals. It is anticipated that park improvements, particularly in the the transitional area, will deter further unwanted use by providing better opportunities for those activities that are wanted, education of visitors and selfenforcement by local users.

An exposed overlook on a rock outcropping about .15 miles from Canemah Park looks out to the Willamette. River but also presents significant safety risks to the public. Although outside the park limits of this master plan, access to the overlook and enhancement suggestions are included in this document.

lango hansen Conemoh Nelghiro

Exhibit\_\_\_\_\_



# Canemah Neighborhood Park **DRAFT** Master Plan

Prepared for the City of Oregon City, Oregon by: Lango Hansen Landscape Architects Winterbrook Consulting

3 May 2004

## Table of Contents

Overview	1
Public Involvement	1
Project Location	2
Metro Natural Area	2
Existing Conditions	3
Workshop 1: Master Plan Visioning	۷
Workshop2: Master Plan Alternatives	Ę
Workshop 3. Master Plan Presentation	7
Overlook Improvements	8
Appendix	Ç



Existing Canemah Park with new picnic shelter

#### Overview

The Canemah Neighborhood Park Master Plan suggest improvements for a 1 5-acre open space in the Canemah neighborhood in Oregon City. The 1.5 acres includes an existing neighborhood park, the Paquet Street right-of-way and a 1acre parcel owned by Metro, but managed by the City of Oregon City through a memorandum of understanding. The goal of the master plan is to create a small multi-use neighborhood park that provides a transition to an adjacent 38acre (Metro-owned) natural area.

Park improvements are designed to encourage a variety of uses, respond to safety concerns, take better advantage of the site's natural setting and views, provide a gateway to the natural area and recognize the natural and cultural history of the site and surrounding neighborhood.

The Canemah bluff, adjacent to the Canemah neighborhood, has been designated by Metro as a "regionally significant natural area site" and is subject to policies issued in the Metropolitan Greenspaces Master Plan. Park improvements on the Metro property must not endanger wildlife habitats and provide passive recreational opportunities that support ecological values.

The site is also within the Canemah Historic District which is on the National Register for Historic Places. The Oregon City Code states that "no major public improvements shall be made in a district unless approved by the Historic Review Board and given a certificate of appropriateness". In addition to respecting the ecology of the area, the execution of the Master Pian shall respect the nistory of the area. This is particularly relevant to any structures placed on the site like picnic shelters, play equipment and interpretive signage or kiosks.

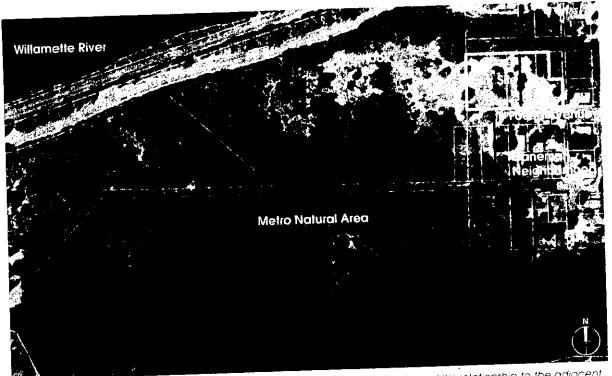


Eastern end of Canemah Park adjacent to residences

#### Public Involvement

Information sharing between the neighborhood, park users and the designers was necessary to ensure a successful master plan that responds to the needs and concerns of neighboring residents and stakeholders. Canemah residents were invited by mail to participate in two workshops and to attend a draft master plan presentation to the Park and Recreation Advisory Committee (PRAC).

Residents that participated were enthusiastic to share their desires and concerns. The design team incorporated their suggestions and presented the drawings at later meetings Design options and public responses are discussed later in this document.



Vicinity map including a portion of the Canemah neighborhood, the park sife and it is relationship to the adjacent Metro natural area.

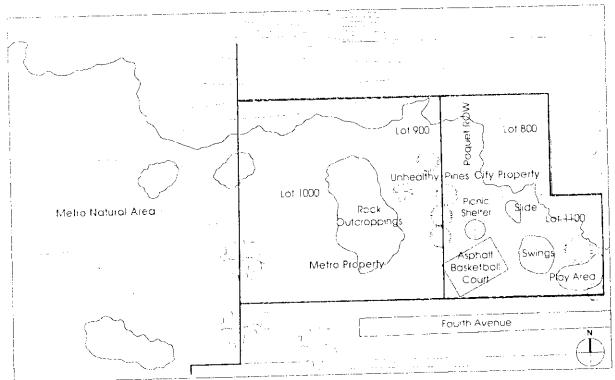
#### **Project Location**

The project area is shown on the northeast corner of the vicinity map and outlined in white. It sits atop Canemah Ridge which is defined on the north by basaltic cliffs which have been carved by the Willamette River and by more recent blasting to enable the widening of Highway 99E. The eastern portion of the project area is the existing Canemah Park. a children's park, which includes tax lots 800 and 1100 and the Paquet Street rightof-way (see map on page 3). Adjacent to the park to the west is the 1-acre parcel of land (lots 900 and 1000)owned by Metro, but managed by Oregon City Parks and Recreation (through an intergovernmental agreement). This parcel will serve as a transitional open space area between the more active park space to the east and 38 acres of Metro land to the west.

#### Metro Natural Area

The 38 acres of Metro land will be managed by Metro as a natural area. A large contiguous forest, diverse system of wetlands, seeps and rocky cliffs characterize this property. Metro has undertaken restoration efforts of the area which include scotch broom and blackberry removal. User trails have developed on the site and local residents regularly use the area for walking. Unfortunately, the site has also attracted misuse by vandals. It is anticipated that park improvements. particularly in the the transitional area, will deter further unwanted use by providing better opportunities for those activities that are wanted, education of visitors and selfenforcement by local users.

An exposed overlook on a rock outcropping about .15 miles from Canemah Park looks out to the Willamette River but also presents significant safety risks to the public. Although outside the park limits of this master plan, access to the overlook and enhancement suggestions are included in this document.



Canemah Paik and transition area to Metro property

#### **Existing Conditions**

Canemah Park is approximately .61 acres inclusive of the Paquet Street right-of-way. it was developed incrementally over time and does not support an overall plan with regard to use and circulation. The topography dips greatly making it extremely challenging to even play. catch. Much of the space is unusable and unfortunately wasted in a neighborhood where rocky outcroppings and extreme slopes limit usable backyard space.

The park sits high above highway 99E and overlooks the Willamette River but understory overgrowth prohibits openings to the panoramic view. A low chainlink fence is providing temporary restraint along the cliff edge.

Park limits and access are poorly delineated. The gravel parking area is loosely defined by the crumbling asphalt road edge and there is no designated

pedestrian route or entry into the space

Park elements consist of a very small open lawn area interrupted by trees in poor health, a half basketball court, aging playground equipment, a small parking area and a picnic shelter.

The playground pieces include an aging wood structure that does not meet current safety standards. It is set at a lower grade than the rest of the park and is not universally accessible. Adjacent to the asphalt basketball court is a freestanding metal slide and swingset. The slide is not up to code and the swingset appears to meet safety standards but will require a formal inspection prior to relocation.

The picnic shelter is about a year old and fixed in its current location. Master plan improvements must be designed around the shelter.

## Workshop 1: Master Plan Visionina

This initial meeting with the public introduced the project, described the master plan process and initiated a dialogue to discuss the goals and objectives for the park. The objective of this meeting was to identify additional issues and to gather social, cultural and historical information about the site. Turnout for this first meeting was fairly high and neighbors videotaped the workshop (as well as all subsequent meetings). The designers did not present any plans at this stage and instead showed existing conditions maps/aerials and site photographs.

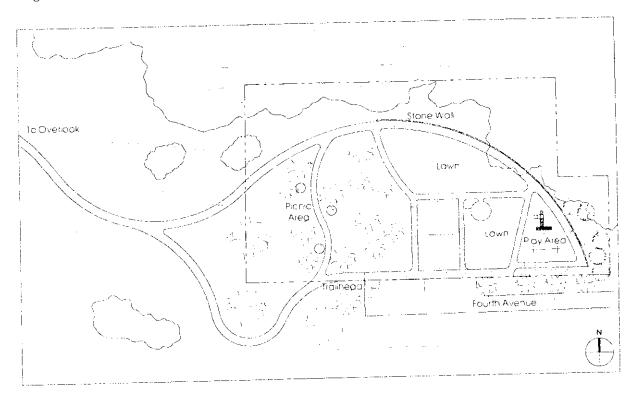
#### Workshop Comments

- Oregon City Parks & Recreation sees the site as a location for informal. passive recreation. Pick-up ball fields could be allowed, but athletic field lighting and team benches are not permitted due to Metro Greenspaces regulations. Elements of the park should not attract activities out of scale with the neighborhood.
- Tax lot 900 may be the flattest area and most appropriate for a pick-up field.
- The park is considered a living room to the neighborhood and used for several gatherings including National Night Out.
- There are differing opinions on ball fields. Some people say no ball fields and others say an area is needed to throw a ball around.
- The parking area should be small to accommodate only handfuls of people. Neighbors want to discourage driving to the park. Traffic is a concern.
- Musicians need electricity.
- Some type of restroom would be nice. Because sewers are cost prohibitive, perhaps an alternative type.

- Vandalism and maintenance issues suggest a temporary restroom in the warmer months. A permanent pad with screening could be constructed to house the temporary structure
- The park should have amenities that attract younger people and their children. The neighborhood should support new generations of people to help regenerate the community.
- Views should be taken advantage of. particularly the view from the overlook A stone overlook could reference other stone features throughout Oregon City.
- Interpretive/historical signage is important. Signage should speak to the natural and cultural uniqueness of the site. Signage should be durable. Plaques on boulders were suggested. A marker to honor Howard Clemson is very important. His story should be told so his legacy can continue.
- If possible, space for community gardening would be good since most residents have very little soil in their vards.
- The existing pines are diseased and will most likely die (one is dead). They should not be considered in the master plan.
- The root cellar should remain.
- Vandalism is an issue now, but it was agreed that a park that supports many activities will deter vandalism. It will also contribute to a greater sense of community.
- If topographically appropriate, a small amphitheater might be incorporated. Perhaps it could be part of the overlook?
- Although understandably expensive, a small stone-walled promenade could overlook the river.
- Low-level, environmentally friendly lighting would be appropriate.
- A school house was in the location of the existing slide. It was torn down in 1945.

## Workshop 2: Master Plan Alternatives

Based on the information received from the first workshop, the design team developed two master plan alternatives and presented them to the public. This meeting provided an opportunity for Canemah residents to discuss the pros and cons of each alternative and begin to establish a more concrete vision for the master plan.



#### Option A

Option A centralizes the primary activity areas on the eastern half of the site and proposes an enhanced natural landscape for the western portion of the site adjacent to the Metro property.

A stone-walled promenade along the northeast side of the park leads to the overlook. The children's play area is raised to be level with the rest of the park as well as being enlarged from its current size. An evergreen buffer screens it from adjacent residents. The basketball court is rotated for a north-south orientation. Open lawn areas are intended for informal play and picknicking. The west side of the park is minimally developed to serve as a transition to the adjacent natural area

where a north-south trail creates a spine for picnic areas and vegetation enhancement. A small paved parking area that accommodates 10 vehicles terminates at a trail head where interpretive signage and bicycle parking is located.

Public feedback included making both the lawn areas and the play areas larger. The promenade was suggested to be a 'walk of history' where interpretive elements could be integrated into wall with perhaps an overlook. There was a desire to see more of a pedestrian entrance to the park with a small space that creates a sense of arrival. This was the preferred option.

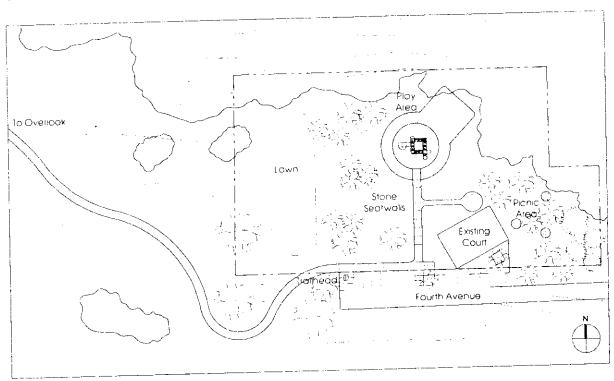
#### Option B

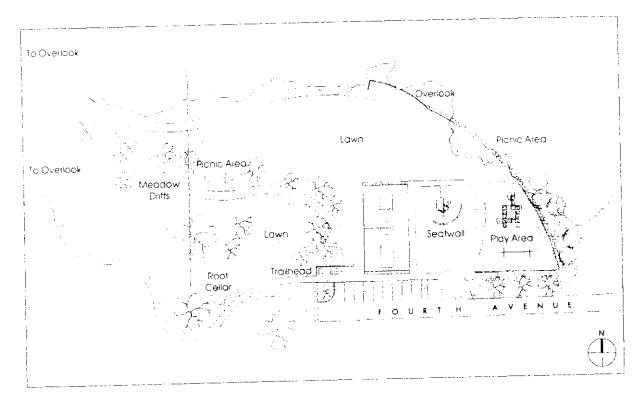
Option B locates uses with highest levels of activity on the eastern portion of the site, and proposes an informal playing field on the western half of the site (City-managed Metro property) next to the Metro natural area.

Option B retains the existing basketball court which inherently constrains the design. A small plaza connects the court to the circulation system. The play area is centrally located to distance it from the adjacent residence. The east side of the park is raised to be level with the rest of the park and additional trees are proposed to create a small picnic area. The west side of the park is more developed in this option with low serpentine stone walls creating informal amphitheater seating and a transition to a lawn area for light recreation. The topography shifts and exposed bedrock in this area will necessitate added fill to accommodate the field.

The form of the lawn and the serpentine walls are conceptual at this stage and subject to change given surveyed topographical conditions. The paved parking area can accommodate eight cars. Similar to Option A, a paved trailhead with interpretive signage is located at the end of the parking area.

Both the residents and the Parks and Recreation staff agreed that there is no reason to retain the existing basketball court and limit the design opportunities for the park. While the larger lawn area was viewed as a plus, there seemed to be consensus that the west side of the park should remain less developed and more natural. The stone seatwalls were wellreceived and it was suggested that perhaps they could occur on the more developed east side of the park. The larger play structure in this scheme was preferred.





# Workshop 3: Draft Master Plan Presentation

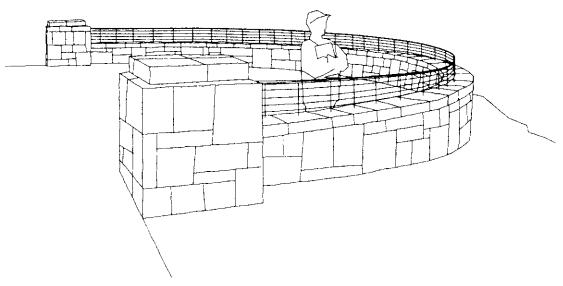
The draft master plan was presented at the third workshop meeting to Canemah residents and the Oregon City Parks and Recreation Advisory Committee (PRAC). Both the residents and PRAC approved the plan and recommended it be presented to the Oregon City Planning Commission.

The master plan integrates the responses to options A & B heard at the second public meeting. The promenade has been moved further north to expand the lawn and play areas to the south. The enlarged play area will be at the same grade as the rest of the park so that it is clearly visible. It will accommodate both a new play structure and the existing swing set. The continuous stone wall along the promenade evolved into a stone overlook that will provide opportunities for seating, viewing and historical/cultural acknowledgment. Other stone elements include a seating wall by the picnic shelter and a low enclosure wall at the trail head.

The trail head has been expanded to include space for a portable restroom as well as an interpretive kiosk describing the natural features of the area. The lawn area has also been enlarged to the west with its form and actual size to be determined during the construction documentation phase of this project. A path which leads to the overlook point connects the natural area to the developed park area. Along the path are picnic tables, tree groves and wildflower drifts. To the south of the path is a smaller lawn area for more passive recreational activities. The pedestrian entrance to the park is a small paved area adjacent to an existing rock outcropping. Additional boulders and plantings are intended to enhance the small plaza which also contains a drinking fountain and bicycle parking. The root cellar/rock outcropping to the west of the trail head is anticipated to be another entry feature to the natural area that will be cleared and planted.







A possible approach toward treating the overlook outcropping

## Overlook Improvements

Although the Willamette River overlook lies well within the Metro natural area and is outside of the scope of this master plan. it is a pedestrian destination point from Canemah Park and should be acknowledged as a design element related to the park.

The proposed routes to the overlook transition from concrete sidewalks in Canemah Park to asphalt paths that follow the existing unpaved user-defined trails. The overlook location in its current state presents a significant safety risk to the public because of the precipitous drop-off, with no constructed barrier or restraints. Improvements should be considered high priority for master plan implementation.

The panoramic view atop this rock outcropping is spectacular and demands a permanent and contextually sensitive treatment.

The wide use of basalt stonework throughout Oregon City suggests a stone wall that will complement the stone walls proposed in the park (draft master plan, page 8). A metal-railing system on a low stone wall could provide the minimum height requirements while still maintaining a sense of transparency.

The rich natural and cultural history of the site and surrounding area should be incorporated into the overlook design as integrated interpretive elements.

# **Appendix**

Site Specific Plant List for Meadows, Rock Outcrops and Woodland Edges

## TDEES

TREES		
Scientific Name	Common Name	Comments ("D" is drought tolerant)
Arbutus menziesii	Pacific madrone	D - specimen tree or grove
Cornus nuttallii	Western flowering dogwood	Woodland edge or specimen planting
Crataegus douglasii	Black hawthorn	Woodland edge
Quercus garryana	Garry oak	D - specimen tree or grove
SHRUBS		in the telepopt
Scientific Name	Common Name	Comments ('D' is drought tolerant)
Acer circinatum	vine maple	D - fall color, cover, forage, mod deep spreading roots
Amelanchier alnifolia	saskatoon serviceberry	D - flowers and edible fruits, small tree specimen; forage, cover habitat, soil binder
Arctostaphylos uva-ursi	kinnickinick	D - evergreen groundcover
Arctostaphylos columbiana	hairy manzanita	D - evergreen snrub
Bacharis pilularis	coyote bush	D · evergreen shrub
Berberis aquifolium	tall Cregon-grape	D - evergreen shrub
Gaultheria shallon	salal	Low evergreen cover, butterflies, soil binder
Paxistama myrsinities	Oregon box	D - low evergreen cover
Philadelphus lewisii	mock orange	D - tragrant, flowering shrub
Potentilla fruticosa	shrubby cinquefoil	Low shrub with large yellow flowers
Rosa gymnocarpa	baldhip rose	Flowers in clusters, bright red hips
Ribes sanguineum	red flowering currant	D - flowering shrub, draws butterflies, hummingbirds
Spiraea betulifolia v. lucida	birch leaf spiraea	D - flowering shrub; wildlife forage, cover
Symphoricarpus alba	snowberry	Wildlife forage and cover
GROUNDCOVER		The state of the s
Scientific Name	Common Name	Comments ("D" is drought tolerant)
Analphalis margaritacea	pearly everlasting	D - masses, long flowering
Antennaria microphylla	rosy pussytoes	Rock outcrops/rock garden, with Penstemon
Asclepias speciosa	showy milkweed	fragrant, butterfly host
Camas leichtlinii	great camas	meadow, plant in drifts (masses)
Camas quamash	common camas	meadow; plant in drifts (masses)
Dryas octopetala	Mt. Avens	mat forming, wall drapery; rock outcrops/rock garden

## GROUNDCOVER CONT.

GROUNDEO VER COM		
Scientific Name	Common Name	Comments
Erigeron glaucus	beach dassy	D - wall dropery; rock outcrops/rock garden
Errophyllum lanatum	Oregon sunshine	D - mat forming; rock outcrops/rock garden
Erythronium oregenum	trout tily	moist, shady areas in woodland
Frageria chiloensis	coastal strawberry	evergreen groundcover, wall drapery
Gaillardia aristata	blanket flower	yellow flower with red center, rock outcrops/rock garden
Heuchera micrantha	small-fl alum root	shady areas
Iris douglasii	Douglas iris	D -clusters; rock outcrops/rock garden
Iris tenax	Oregon iris	D -clusters, rock outcrops/rock garden
Linum lewisii	wild blue flax	Rock outcrops/rock garden; grayish leaves
Lithophragma parviflora	smal! flowered woodland star	Rock outcrops/rock garden and meadow
Lonicera hispidula	hairy honeysuckle	train on walls or fences
Lupinus rivularis	stream-bank lupine	groups near fern, strawberry
Penstemon rupicola	rock penstemon	D-shrupby evergreen, rock out crops/rock garden
Phlox diffusa	spreading phlox	creeping; rock outcrops/rock garden
Piectritis congesta	rosy plectritis	vernally moist meadow areas and rock outcrops
Polystichum munitum	sword fern	evergreen cover; in groups, w/ strawberry, shady
Sedum oreganum	Oregon stonecrop	D - rock outcrops/rock garden, wall drapery
Sedum spathulifolium	broad-leaved stonecrop	D - rock outcrops/rock garden, wall drapery
Sidalcea campestris	meadow checker-mallow	meadows

# SELECTED MIX FOR ROCK OUTCROP AREAS/ROCK GARDENS

Beach daisy Bianket flower Broad-leaved stonecrop Douglas iris

# ROCK OUTCROP AREAS/ROCK GARDENS CONT.

Mt Avens

Oregon iris

Oregon stonecrop

Oregon sunshine

Penstemon sp

Pussytoes

Rosy plectritis

Small flowered woodland star

Spreading phlox

Wild blue flax

#### **NOTES:**

- 1. Groundcover plants that are prairie species will require periodic burn, well-timed mowing and possible herbicide applications for maintenance.
- 2 Site preparation for planting should be clear and thorough. Establishment of an open prairie will require thorough elimination of weeds. Take a full growing season to prepare the site, kill weeds. stimulate the seed bank and kill newly germinated weeds before planting
- 3. Clumping of tree and shrub communities will allow easier maintenance of open areas and quicker establishment of canopy cover

# CITY OF OREGON CITY - PLANNING DIVISION

PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

Phone: (503) 657-0891 Fax: (503) 722-3880

# TRANSMITTAL

June 18, 2004

	June	18, 2004
HOUGE DICTRIP	UTION	MAIL-OUT DISTRIBUTION
IN-HOUSE DISTRIB	CIAI	₩ CICC
BUILDING OFFI	UIAL MANACED	NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR
ENGINEERING N	MANAGER	N.A. LAND USE CHAIR Canumak
o∕ FIRE CHIEF		CLACKAMAS COUNTY - Joe Marek
PUBLIC WORKS	- OPERATIONS	□ CLACKAMAS COUNTY – Ken Kent
o∕′ CITY ENGINEEI	R/PUBLIC WORKS DIRECTOR	open s vegen
<ul> <li>TECHNICAL SE</li> </ul>	rvices (GIS)	ODOT Com Host
		COMPONENTE (2)
a ADDRESSING		TOOLS ALOT
□ POLICE		TRI-MET
TRAFFIC ENGINEE	ER.	METRO - Brenda Bernards
□ Mike Baker @ D		□ OREGON CITY POSTMASTER
U WIIKE DAKET (W D		□ DLCD
RETURN COMMENT	STO: Tony Konkol, Ass	ociate Planner
	July 14 2004	
COMMENTS DUE	BY: July 14, 2001	on: July 26, 2004; City Commission: August 18, 2004
HEARING DATE:	Planning Commission	_XX_PC; _XXCC Legislative Action
HEARING BODY:	Staff Review; _	
please contact the Pla	Parks and Recreation Maste Clackamas County Map 3S erial is referred to you for your info unning Department. Your recommend	Neighborhood Park Master Plan as an ancillary document to the er Plan.  3-1E-01, Tax Lots 800, 900, 1000 and 1100  remation, study and official comments. If extra copies are required, lations and suggestions will be used to guide the Planning staff when hits considered and incorporated into the staff report, please return the of this application and will insure prompt consideration of your
_		The proposal conflicts with our interests for
	The proposal does not	the reasons stated below.
	conflict with our interests.	the reasons stated below.
		The following items are missing and are
	The proposal would not conflict our	needed for review:
	interests if the changes noted below	needed for review.
	are included.	
	70	A Clayed
	Signed Con	to the Desigla
	Title Con	merely terms
		<i>(</i>

PLEASE RETURN YOUR COPY OF THE APPLICATION AND MATF

Exhibit 3

# **Tony Konkol**

From: Sean Cook

Sent: Thurso

Thursday, July 15, 2004 12:16 PM

To:

'McGriffD@pdc.us'

Cc:

Tony Konkol

Subject: FW: Trail Master Plan

Thanks!

Sean

-----Original Message-----

From: McGriff, Denyse [mailto:McGriffD@pdc.us]

Sent: Wednesday, July 14, 2004 5:03 PM

To: Sean Cook

Subject: Re: Trail Master Plan

On behalf of the McLoughlin Neighborhood Association

The City of Oregon City Trail Master Plan does not conflict with our interests.

Thanks, Denyse

# CITY OF OREGON CITY - PLANNING DIVISION>

PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

Phone: (503) 657-0891 Fax: (503) 722-3880

# TRANSMITTAL

	June	18, 2	2004
IN-HOUSE DISTRIBUT			IL-OUT DISTRIBUTION
BUILDING OFFICIA		<b>b</b>	CICC
ENGINEERING MA		<b>•</b>	NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR
FIRE CHIEF	NAGER	ଫ_	N.A. LAND USE CHAIR Canemak
PUBLIC WORKS: O	DEPATIONS		CLACKAMAS COUNTY - Joe Marek
A STRATE MOKKS- O	UBLIC WORKS DIRECTOR		CLACKAMAS COUNTY - Ken Kent
CITY ENGINEERS	OBLIC WORKS DIRECTOR		ODOT - Sonya Kazen
TECHNICAL SERV			ODOT - Gary Hunt
PARKS MANAGER		ລ	SCHOOL DIST 62
□ ADDRESSING		۵	TRI-MET
D POLICE			METRO - Brenda Bernards
TRAFFIC ENGINEER			OREGON CITY POSTMASTER
☐ Mike Baker @ DEA			DLCD
	TO: Tony Konkol, Asse		
RETURN COMMENTS T			• • • • • • • • • • • • • • • • • • • •
COMMENTS DUE BY	: July 14, 2004		ac and Gir Commission August 18, 2004
HEARING DATE:	Planning Commission	on: July	y 26, 2004; City Commission: August 18, 2004
HEARING BODY:	Staff Review;	_xx_	PC; XX_CC Legislative Action
.,			
N REFERENCE TO			
FILE # & TYPE:	L 04-02		
PLANNER:	Tony Konkol, Associate Pla	inner	
APL CANT:	Oregon City Parks and Recr	reation	LD LAM see Blance on ancillary document to the
REQUEST:	Adoption of the Canemah N	leighbo:	orhood Park Master Plan as an ancillary document to the
`	Parks and Recreation Maste	r Plan.	
LOCATION:	Clackamas County Map 3S-	-1E-01,	, Tax Lots 800, 900, 1000 and 1100
olease contact the Planning eviewing this proposal.	ng Department. Your recommend	ts consi of this	n, study and official comments. If extra copies are required and suggestions will be used to guide the Planning staff when sidered and incorporated into the staff report, please return the sapplication and will insure prompt consideration of you
The	proposal does not flict with our interests.	-	The proposal conflicts with our interests for the reasons stated below.
The	proposal would not conflict our erests if the changes noted below	_	The following items are missing and are needed for review:
are 1 believe a p	included.	) in	natural provision (future -or later phase)
for bathrooms!	frestrooms.		
PLEASE RE	Signed Signed Title Opera	- No-s	CATION AND MATEI  Exhibit 5

# CITY OF OREGON CITY - PLANNING DIVISION

PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

Phone: (503) 657-0891 Fax: (503) 722-3880

# TRANSMITTAL

June 18, 2004

IN-HOUSE DISTRIBUTION		MAIL-OUT DISTRIBUTION
→ BUILDING OFFICIAL		₩, CICC
	₹	■ NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR
FIRE CHIEF		IN.A. LAND USE CHAIR Canemak
PUBLIC WORKS- OPERAT		□ CLACKAMAS COUNTY - Joe Marek
→ CITY ENGINEER/PUBLIC		☐ CLACKAMAS COUNTY - Ken Kent
☐ TECHNICAL SERVICES (C	GIS)	□ ODOT - Sonya Kazen
→ PARKS MANAGER		ODOT - Gary Hunt
a ADDRESSING		O SCHOOL DIST 62
D POLICE		□ TRI-MET  ✓ METRO - Brenda Bernards
TRAFFIC ENGINEER		OREGON CITY POSTMASTER
□ Mike Baker @ DEA		a DLCD
RETURN COMMENTS TO:	Tony Konkol, Assoc	
COMMENTS DUE BY:	July 14, 2004	
HEARING DATE:		: July 26, 2004; City Commission: August 18, 2004
HEARING BODY:	•	XX_PC; _XXCC Legislative Action
22.1.21.1.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2		
N REFERENCE TO		
	04-02	
	ony Konkol, Associate Plann	
	egon City Parks and Recrea	
•	•	ghborhood Park Master Plan as an ancillary document to the
	rks and Recreation Master I	
OCATION: Cl	ackamas County Map 38-11	E-01, Tax Lots 800, 900, 1000 and 1100
lease contact the Planning Depar eviewing this proposal. If you w	tment. Your recommendation is to have your comments of acilitate the processing of	ation, study and official comments. If extra copies are required, one and suggestions will be used to guide the Planning staff when considered and incorporated into the staff report, please return the this application and will insure prompt consideration of your
The proposal conflict with	does not our interests.	The proposal conflicts with our interests for the reasons stated below.
interests if the	would not conflict our ne changes noted below	The following items are missing and are needed for review:
why don	I we have re	strooms cucluded?
	Signed Cal	ut Chel
DI FACE DETIIDN VA	ر OUR COPY OF THE APP	J LICATION AND MATER

Exhibit\_\_\_\_

## **Tony Konkol**

From:

Kevin Cronin [Kevin, Cronin@state.or.us]

nt:

Monday, June 21, 2004 3:05 PM

Tony Konkol

Subject:

RE: Trails Master Plan - L 04-01/02

#### Hi Tony:

I received your notice of proposed amendments for the two files referenced above.

DLCD does not have any rules or statutes related to parks planning other than guidelines under Goal 8 and OAR 660-034.

Alta does pretty nice work and it looks like you got your money's worth.

Wilsonville is completing a trails master plan for their crown jewel. Mayer Reed is the landscape architect. I provided general comments on this proposal and can forward them to you since they may apply to this plan. It might be worth a look see to

From my perspective, both plans are heavy on planning and design, but too light on maintenance and actual construction. Volunteer efforts should be the focus since these are non-essential services. To this end, consider using transportation SDCs, in addition to parks SDCs, to fund improvements and encourage multi-modal use.

Good luck with the adoption process and let us know how we can assist ou in your efforts.

Kevin A. Cronin, AICP Metro Area Field Representative Oregon Department of Land Conservation and Development 800 NE Oregon Street, #18 Portland, OR 97232

PH: 503-731-4065 x-25

compare approaches.

FX: 503-731-4068

E-mail: kevin.cronin@state.or.us

Web: www.lcd.state.or.us

It is recommended that the site be upgraded and expanded to include additional development. This should include:

- Open play area
- Playground area
- Paved court area
- Landscaping

## Canemah Park (aka Canemah Children's Playground) 3684 51te N-35

Canemah Park is an existing 0.34 acre park site located in the historic Canemah District along the west portion of the City. This is an established neighborhood and consists of single homes. The terrain in this area consists of moderate to steep hillside that overlook the Willamette River. This neighborhood is somewhat separated from the rest of the community and thus needs its own recreation area. The current park is limited in both size and facilities and includes a children's playground, open play area and a basketball court.

There are two suggested approaches to meeting park needs in this neighborhood. The first option is to explore the feasibility of acquiring additional land south of the park. This would then create a park large enough to develop a typical neighborhood park. The site could then also serve as a trailhead for the Canemah Bluff Open Space and Trail System (OS-41 and T-7).

Under this option improvements should include:

- Develop a dedicated picnic area
- Construct an internal paved pathway system for ADA access
- Add landscaping and trees
- Add a multi-purpose field
- Add a trailhead and support facilities
- Provide parking area

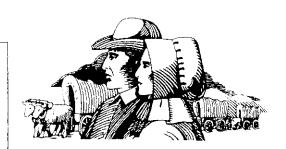
The second option is to attempt a trade with Metro. This agency recently acquired land to the south for open space. Part of this land is would be suitable for a neighborhood park. As a trade, the City could offer land in the Newell Creek.

Exhibit

# CITY OF OREGON CITY

Planning Commission

320 Warner Milne Road Tel (503) 657-0891 OREGON City, OREGON 97045 FAX (503) 722-3880



Complete June 3, 2004 120-Day: October 1, 2004

FILE NO.:

PD 04-01

**APPLICATION TYPE:** Type III

HEARING DATE:

July 26, 2004

7:00 p.m., City Hall 320 Warner Milne Road Oregon City, OR 97045

APPLICANT:

Mike Flury - MJF Development

1616 SE Reedway Street Portland, Oregon 97202

REPRESENTATIVE:

Sisul Engineering, Inc. - Tom Sisul

375 Portland Avenue Gladstone, Oregon 97027 Planning Livability - Chris Cocker

3452 NW Vaughn Street Portland, Oregon 97210

REQUEST:

The applicant is requesting approval of a Planned Unit Development.

LOCATION:

The sites are identified as Map 3S-1E-12D, Tax Lot 300, 301, 302, 400, 401, 402, 500

and 600 (12.01 acres and zoned R-10 Single-Family Dwelling District). The site are located at 19599, 19619, 19623, No Site Address, 19631, 19645, 19665 and 19679

Central Point Road respectively.

REVIEWER:

Tony Konkol, Senior Planner Dean Norlin, Senior Engineer

**RECOMMENDATION:** Approval with conditions

PROCESS: Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include conditional use permits, preliminary planned unit development plans, variances, code interpretations, similar use determinations and those rezonings upon annexation under Section 17.06.050 for which discretion is provided. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission or the historic review board hearing is published and inailed to the applicant, recognized neighborhood association and property owners within three hundred feet. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission or the historic review board, all issues are addressed. The decision of the planning commission or historic review board is appealable to the city commission, on the record. The city commission decision and appeal from the historic review board or the planning commission is the city's final decision and is appealable to LUBA within twenty-one days of when it becomes final.

IF YOU HAVE ANY QUESTIONS ABOUT THIS DECISION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 657-0891

#### BASIC FACTS:

- 1. Location. The subject site is located in southwest Oregon City on the northwest side of Central Point Road and north of the intersection of Central Point and White Lane. The sites are identified as Map 3S1E-12D, Tax Lot 300, 301, 302, 400, 401, 402, 500 and 600 (12.01 acres and zoned R-10 Single-Family Dwelling District). The site are located at 19599, 19619, 19623, No Site Address, 19631, 19645, 19665 and 19679 Central Point Road respectively (Exhibit 1).
- **Existing Conditions.** The 12.01-acre (10.35-acres after a lot line adjustment and property acquisition by the City) site is comprised of 8 properties with 5 existing homes and 6 accessory buildings. There is an existing drainage crossing from east to west across the northern section of the properties and several large Oregon white oaks and Douglas firs to the north of the drainage. The remainder of the site is dominated by grasses and with minimal slopes between 2% and 6%.

The site is identified within the Oregon City Water Resource Overlay District and the Wet Soils- High Water Table area on the Geologic Hazards map of the Canby and Oregon City Quadrangles, Oregon.

- Zoning and surrounding Land Uses. The subject site, which is located in the Hazel Grove / Westling Farms Neighborhood, is zoned R-10 single-family dwelling district. Properties surrounding the site are single-family homes located in predominantly within Oregon City and a few homes located within Oregon City's Urban Growth Boundary but under Clackamas County jurisdiction. The applicant has summarized the surrounding zoning and jurisdiction on Page 4 of Exhibit 2.
- 4. **Project Description.** The Prehiminary Planned Unit Development (PUD) consists of 43 dwelling units (30 detached single-family lots, 5 two-family structures and 1 three-family structure), a pedestrian accessway, 20.1% open space to be dedicated in conjunction with 1.42 acres to be bought by the City of Oregon City for the creation of a neighborhood park and public and private street improvements throughout the site and along the frontage with Central Point Road. Please see page 5 of Exhibit 2 for the applicant's project description and the full application included as exhibits 2 10.
- 5. **Density considerations.** The applicant is proposing a 43-unit Planned Unit Development. PUD's are permitted in the R-10 Single-Family Dwelling District but they must comply with the requirements of OCMC Chapter 17.64.

Under Section 17.64.030, a development proposal may be processed as a PUD as long as the development proposes at least 80 percent of the gross density allowed by the underlying zone. The project site, which will be 10.35-acres after the purchase of the 1.42 acres by the City, could accommodate 46 dwelling units at 4.4 units per gross acre under the R-10 Single-Family Dwelling District density requirement. A PUD must have a minimum density of 80 percent for the site, which represents 36 units. The applicant has proposed 43-units, which is 94 percent of the gross density permitted on the site.

Section 17.64.040(H) requires that between 20 and 50 percent of the "net developable area" shall consist of residential uses other than single-family dwellings, which is defined as a detached building designed for and used exclusively as the residence of one family (OCMC 17.04.230). The total net developable area is 293,478 square feet and is comprised of 30 detached dwellings on approximately 234,767 square feet of developable area, representing 80% of the net developable area. The 13 attached dwellings, located on approximately 58,711 square feet of developable area, represents 20% of the net developable area.

6. Adjustments to the R-10 Single-Family Dimensional Standards. All dimensional standards that would otherwise apply to a property or development may be adjusted in the context of a PUD without a separate variance application. The only two items that may not be adjusted are the setbacks around the perimeter of the PUD and the minimum density requirement of 80 percent of the maximum density of the underlying zone. The preliminary PUD proposed a density of in excess of the 80% density requirement and perimeter

setbacks that meet the zoning standards on each tax lot. Staff comments and recommendations concerning the proposed setbacks are addressed in Section 17.64.040.C of the Planned Unit Development section of the staff report.

Comments. Notice of this proposal was sent to property owners within three hundred feet of the subject property on June 16, 2004 and various City departments and other agencies on June 32, 2004 and July 8, 2004. The subject site was posted and the Planning Commission Hearing was advertised in the Clackamas Review on June 23, 2004 requesting comments. Comments were received from the Oregon City Parks Operations Manager (Exhibit 11), Director of Public Safety (Exhibit 12), Oregon City Building Official (Exhibit 13), and David Evans and Associates (Exhibit 14), the city's traffic consultant.

The following comments have been received from the following individuals in support of the application:

Mr. Cunningham of 19665 Central Point Road, Oregon City, OR 97045 (Exhibit 15);

Mr. Dotson of 19679 Central Point Road, Oregon City, OR 97045 (Exhibit 16);

Mr. and Mrs. Landholm of 19599 Central Point Road, Oregon City, OR 97045 (Exhibit 17);

Mr. Johnson of 19882 South White Lane, Oregon City, OR 97045 (Exhibit 18);

Ms. Crawford of 11822 Skellenger Way, Oregon City, OR 97045 (Exhibit 19); and

Mr. Wheeler of 19566 Central Point Road, Oregon City, OR 97045 (Exhibit 20).

The following comments have been received from the following individuals in opposition of the application:

Hazel Grove / Westling Farm Neighborhood Association minutes (Exhibit 21);

Mr. and Mrs. Cramer, no address provided (Exhibit 22);

Mr. Craven of 19481 Westling Drive, Oregon City, OR 97045 (Exhibit 23);

Mr. Thompson of 11613 Hazelnut Court, Oregon City, OR 97045 (Exhibit 24);

Mr. and Mrs. Behm of 11846 Skellenger Way, Oregon City, OR 97045 (Exhibit 25):

Mr. Vickers of 19384 Hazel Grove Drive, Oregon City, OR 97045 (Exhibit 26);

Mr. and Mrs. Kirkpatrick of 19429 Vincent Drive, Oregon City, OR 97045 (Exhibit 27);

Ms. Grandall of 19407 Hazel Grove Drive, Oregon City, OR 97045 (Exhibit 28):

Mr. Clark and Ms. Brooks of 19445 Vincent Drive, Oregon City, OR 97045 (Exhibit 29);

Mr. Meiners of PO Box 827, Oregon City, OR 97045 (Exhibit 30);

Mr. and Mrs. Miesing of 19365 Hazel Grove Drive, Oregon City, OR 97045 (Exhibit 31);

Petition from Ms. Brooks of 19445 Vincent Drive, Oregon City, OR 97045 (Exhibit 32);

Petition from Ms. Brooks of 19445 Vincent Drive, Oregon City, OR 97045 (Exhibit 33);

Mr. Crozier of 11834 Skellenger Way, Oregon City, OR 97045 (Exhibit 34):

Mr. and Mrs. Tuttle of 19449 Vincent Drive, Oregon City, OR 97045 (Exhibit 35);

Mr. and Mrs. Flitcroft of 19716 Derringer Drive, Oregon City, OR 97045 (Exhibit 36);

Mrs. O'Brien of 19364 Hazel Grove Drive, Oregon City, OR 97045 (Exhibit 37);

Mr. O'Brien of 19364 Hazel Grove Drive, Oregon City, OR 97045 (Exhibit 38);

Mr. Hendricks, no site address provided (Exhibit 39);

Mr. and Mrs. Courand of 19763 Parrish Road, Oregon City, QR 97045 (Exhibit 40):

Mr. Cayson of 19441 Vincent Drive, Oregon City, OR 97045 (Exhibit 41);

Mr. Henry of 11830 Skellenger Way, Oregon City, OR 97045 (Exhibit 42);

Mr. Rustan of 19530 Central Point Road, Oregon City, OR 97045 (Exhibit 43); and

Mr. and Mrs. Brandow of 19416 Westling Drive, Oregon City, OR 97045 (Exhibit 44).

## **DECISION-MAKING CRITERIA:**

Oregon City Comprehensive Plan

Section "C" Housing

Section "F" Natural Resources/Natural Hazards

Section "G" Growth and Urbanization

Section "H" Energy Conservation

Section "I" Community Facilities

Section "J" Parks and Recreation

Oregon City Transportation System Plan - Ancillary document to Comprehensive Plan

## Oregon City Municipal Code Standards and Requirements

Chapter 16.08 Subdivisions - Process and Standards

Chapter 16.12 Minimum Improvements and Design Standards for Land Divisions

Chapter 17.08 "R-10" Single-Family Dwelling District

Chapter 17.50 Administration and Procedures

Chapter 17.64 Planned Unit Development

#### ANALYSIS AND FINDINGS:

## Consistency with the Comprehensive Plan

Housing Goal: Provide for the planning, development, and preservation of a variety of housing types at a range of prices and rents

Finding: The applicant has proposed a mix of single-family detached and attached housing on a range of lot sizes between 3,561 and 12,088 square feet. The wide range of lot sizes and mix of detached and attached housing will provide for a variety of housing types at a range of prices.

Policy 3 states that the "City shall encourage the private sector in maintaining an adequate supply of single and multiple family housing units. This shall be accomplished by elying primarily on the home building industry and private sector market solutions." The applicants have determined that it is feasible to provide a mix of housing types as part of this application.

Policy 4 states that the "City shall encourage owner-occupied multiple family dwelling units. Housing such as condominiums or town houses will be allowed in all multiple-family zones." As part of the PUD process, 20% of the net developable area must be developed as multi-family. The applicant has proposed two and three unit dwelling units that will be owner occupied.

Policy 5 states that the "City shall provide for Planned Development regulations to encourage flexibility in the provision of housing types and densities." Policy 6 states that "Any density transfer within a PUD shall demonstrate compatibility with adjacent residential development." The applicant has proposed large lots of similar size to the adjacent properties with rear yard setbacks in excess of the code requirements and the smaller lots have been primarily contained within the subdivision, providing a transition from larger lots at the edge of the development to smaller lots on the interior of the development. This design provides compatible lot sizes and building footprints around the perimeter of the development to the adjacent residential developments.

A further analysis of the compatibility of this proposal with the surrounding residential development is provided on page 17 below. This standard is met.

Natural Resources/Natural Hazards: Preserve and manage our scarce natural resources while building a liveable urban environment

Natural Resources and Hazards Goals and Policies

Goal Preserve and manage our scarce natural resources while building a livable urban environment Water Resources Map – Site is Within Area of Potentially High Groundwater

Description of Water Resources, Rivers and Creeks

2 Lutle Beavercreek

<u>Description</u> This water resource is partially inside and outside of the urban growth boundary. A small portion lays adjacent to South Parrish Road and ends in an area encompassing a two plus acre pond. The pond and vegetative area extends across three parcels which are zoned FU-10, Future Urban 10 acres minimum. There are at least three single-family residences

which have been constructed in the vicinity of the pond and wetland area. There is significant riparian vegetation surrounding this area. It consists of white ash, dogwoods, blackberries, grasses and reeds. This area is also the home of a beaver and a beaver dam has been constructed. The under story is established as evidence by the beaver activity. This area is significant as 'crested wetland corrido: Currently, the property owners in the vicinity of the pond have managed the resource. There is a fence going through a portion of the swale, that may denote property boundaries.

Petential Impacts. The conflicts would include increases in density in the area, and a proposed route of a sewer line and pump station proposed to be in the wetland area. If the public facility is constructed the wetland and adjacent vegetation may be irrevocably destroyed. All conflicting uses should be restricted with regard to this resource. Additional single-family uses could be constructed in the vicinity outside of any transition area, if the buildings are properly located to minimize any potential impacts.

#### Water Resource Goals

- Assist in the protection of natural features, natural vegetation, and the banks of water sources,
- 2 Maintain water quality and wildlife habitat;
- 3 Preserve natural storm water retention beneficial to flood control.

#### Policies

- 3 The City shall encourage the open space use of water resources and land use compatible with water resources preservation,
- 4 The City shall establish development review procedures which will preserve the natural function of water resource areas and protect them from deterioration by:
  - a Incorporation of the natural water resource feature in site design,
  - b Prevent clearing of natural vegetation in the water resource impact areas,
  - c Preserve the natural retention storage capacity of the land, and
  - d Prevent discharge of water pollutants into the ground
- 5 Provide the opportunity to increase water resource areas by encouraging and requiring water resource restoration and creation
- 6. Encourage educational opportunities for the study of water resources through the schools, community college, Metro, and other agencies

<u>inding:</u> It appears the Conflict Concerns of the Comprehensive Plan pertain to the two-acre pond and vegetative area in the vicinity. The concerns include increased encroachment of the stream corridor. The Comprehensive Plan indicates that residential uses could be accommodated, provided the vegetated buffer around the stream is maintained.

The applicant has proposed to protect and enhance the severally impacted water resource located on the property by complying with the criteria of the Oregon City Municipal Code, Chapter 17.49—Water Resource Overlay District, which implements the goals and policies of the Comprehensive Plan. The applicant has proposed to develop a Planned Unit Development on the subject site, which includes the designation and preservation of open space, the incorporation of the natural water resource feature in the site design, providing resource restoration and creation, and the preservation of the natural retention storage capacity of the land.

The applicant's Water Resource Report, identified as WR 04-09, indicates that the channel has been formed by the release of stormwater across the subject sites from the subdivision to the northeast. The subdivision to the southwest of the site was allowed to pipe the resource from the property line with the subject site to an open space / stormwater area. The Oregon City local wetlands inventory identifies an intermittent stream at the location that was allowed to be piped through the previous subdivision development. At the time of the subdivision developments to the northeast and southwest the current Water Resource Overlay District requirements did not exist.

The applicant has proposed to restore and enhance the existing water feature on the site, which will be incorporated into a future Neighborhood Park. The restoration of the water feature improve a resource that has been severally impacted by previous development and provide water quality benefits to the storm water being released from the subdivisions to the northeast of the subject site, including one subdivision that was developed without stormwater quality or quantity features.

The applicant can satisfy this section by complying with the condition of approval 1.

Growth and Urbanization: Preserve and enhance the natural and developed character of Oregon City and its urban growth area.

Finding: The applicant has proposed to preserve a majority of the large grove of trees, consisting of Oregon white oak and Douglas Fir, and provide mitigation to enhance and improve the existing water feature traversing the site. This standard is met.

Energy Conservation: Plan urban land development which encourages public and private efforts towards conservation of energy

Finding: Policy 1 indicates that the City shall "Promote design of new subdivisions in order to maximize energy conservation efforts. Consideration should be given to Planned Unit Developments or cluster developments." The applicant has proposed a PUD that maximizes the use of the infrastructure and provides for the recreational needs of not only the residents but also the community. The applicant has reduced infrastructure improvements and the City's maintenance requirements by serving a similar density of dwelling units on the site but within a smaller area.

Policy 5 states that the City shall "Encourage non-petroleum means of transportation by constructing bikeways and sidewalks." The applicant has proposed to create bikeways and sidewalks. The proposed City park will provide recreational opportunities for an underserved section of the city, reducing the need of an automobile trip to access a park. This standard is met.

Community Facilities: Serve the health, safety, education, and welfare and recreational needs of all Oregon City residents through the planning and provision of adequate community facilities

Finding: The applicant has proposed a development with improvements that will increase the safety of Central Point Road, increase pedestrian and vehicle connectivity by completing street connections to surrounding developments and will provide a park that has been identified as a needed recreational improvements in the Parks and Recreation Master Plan (Exhibit 45).

Policy 5 states that the "City will encourage development on vacant buildable land within the City where urban facilities and services are available or can be provided." Policy 7 states that the "Maximum efficiency for existing urban facilities and services will be reinforced by encouraging development at maximum levels permitted in the Comprehensive Plan and through infill of vacant City Land". The site is surrounded on three sides by subdivisions and a PUD. Utilities and streets have been provided to the site and the applicant can provide the necessary community facilities as proposed or by complying with the conditions and findings of this staff report.

Parks and Recreation: Maintain and enhance the existing park and recreation system while planning for future expansion to meet residential growth

Finding: The Oregon City Parks Master Plan has identified the need for a Neighborhood Park in the area (Exhibit 45). The survey/workshop meetings utilized to develop the Master Plan indicated that neighborhood parks are the second most preferred type of park and that playground facilities, basketball courts, tennis courts and picnic areas where identified as needed recreations amenities in such parks. The site selection criteria indicates that neighborhood parks should be no smaller than about three acres in size, with the optimum size being five to seven acres, and that wherever feasible, the park should occur adjacent to elementary school sites. The proposed park will be 3.5 acres in size and is located approximately a quarter mile from the McLoughlin Middle School. There are no vacant sites of adequate size adjacent to the middle school that could be purchased. The applicant has proposed both dedication and land for purchase to comprise the 3.5-acre park. The applicant has indicated that the equivalent development costs normally associated with the open space area and natural resource will be provided to the city for the overall park improvements. This standard is met.

Chapter 16.08 Subdivision Process and Standards

#### Chapter 16.08.010 - Purpose and General Provisions

**Finding:** The proposed project was reviewed by the appropriate agencies and the findings necessary to be in compliance with Chapter 16.08.010 have been included.

#### Chapter 16.08.020 - Pre-application Conference

**Finding:** The applicant held a pre-application meeting with staff, identified as PA 03-70, on January 14, 2003 prior to submitting the application. The applicant held a voluntary meeting with the neighborhood prior to submitting the application. This criterion is met.

#### Chapter 16.08.050 - Preliminary Subdivision Plat - Narrative Statement

The applicant shall explain in detail how and when each of the following public services or facilities is, or will be, adequate to early the proposed development by the time construction begins

A Subdivision Description.

Finding: The applicant provided a detailed description of the proposed development. The applicant has requested a variance to the pedestrian accessway lighting standards; however, the application will be brought forward to the Planning Commission for their consideration at a later date due to an error by the Planning Department in the notification of that separate request (Exhibits 2, 3, and 4).

Timely Provision of Public Services and Facilities

Water

Finding: The applicant indicates that public water will be extended, as necessary, from existing public utility lines to provide a connection to all new lots. There are three existing Oregon City (City) 8-inch duetile iron water main stubbed to the site in Vincent Drive, Westwood Drive and Hazel Nut Avenue. There is an existing fire hydrant at the corner of Vincent Drive and Hazel Nut Avenue. There is also a City 12-inch duetile iron water main in Central Point Road.

The applicant's proposed waterline plan indicates constructing a water main along the proposed interior street to connect the two existing stubs in Hazel Nut Avenue and Vincent Drive. The sites proposed water main would also be connected to the 12-inch water main in Central Point Road. The applicant has proposed two new fire hydrants, and water service to all of the proposed lots. The Applicant shows three new fire hydrants. The proposed fire hydrant near Vincent Drive is redundant.

Private water easements are shown for the water services to lots 1, 2, 3, and 4.

The proposed water system plan has not shown the required gate valves, pipe material and pipe sizing. The applicant has proposed a water system that appears to meet City code with modifications.

This standard is not met. The applicant can meet this standard by complying with Conditions of Approval 2 and 3.

Sanitary Sewer

Finding: The applicant indicates that sanitary sewer will be extended, as necessary, from existing City sanitary sewer manhole in Hazel Nut Avenue to provide a connection to all new lots. Applicant shows a sewer easement between lots 11, 12 and 13 for the proposed City sanitary sewer. Private sewer easement may be needed to provide laterals to lots 2, 3, and 4.

There is an existing 8-inch gravity sanitary sewer manhole in Hazel Nut Road. This manhole should be deep enough to serve this site. No double services are allowed; each lot shall connect to the public sewer with a single sewer lateral. No proposed inverts have been shown, but the plan appears to be workable to meet City code with a few modifications.

This standard is not met. The applicant can meet this standard by complying with conditions of approval 3 and 4.

Storm Sewer and Storm Water Drainage

**Finding:** The applicant indicates that storm drainage will be managed on the site through a collection and detention system, with measured release to existing drainage systems.

This site is located in the South End Drainage Basin as designated in the City's Drainage Master Plan. The South End Drainage Basin drains to Little Beaver Creek, Beaver Creek and ultimately the Willamette River above the falls. The Willamette River is an anadromous salmon-bearing stream. Drainage impacts from this site are significant.

There is an existing drainage swale/ditch crossing the proposed open space on the site. The applicant proposes to minimize disturbing this drainage area other than extending Hazel Nut Avenue and connecting to the existing drainage system in Westwood Drive. The existing drainage system in Westwood Drive is a storm by-pass system that drains to the open space area in Partish Glenn, but bypasses the detention pond.

The applicant has proposed to drain the site into a storm detention underground tank and then discharge the storm water through a pipe in a storm water easement through the open space to the storm manhole in Westwood Drive. The underground detention system is located in a proposed easement fronting lots 24-31 and adjacent to the proposed street Jennifer Loop. A water quality (Stormceptor) manhole is proposed down stream of the detention pipe.

Public detention tanks and vaults are not permitted outside public rights-of-way (City Stormwater and Grading Design Standards Chapter 4.2.5.1). The City would prefer the Applicant to construct an off-site detention system in tract "A" of the Parrish Glen Subdivision. The plans indicate that the open space is private, but tract "A" is granted to the City of Oregon City. City Stormwater and Grading Design Standards Chapter 4.2.1 states that "The City of Oregon City encourages the use of detention ponds that serve more than one development. A facility that serves more than one development will be referred to as a sub-regional facility. Sub-regional facilities can be more effective in maximizing the development area, reducing overall maintenance requirement, minimizing the overall construction cost while enhancing water quality of storm water runoff".

Preliminary Hydrology/Detention calculations have been provided to the City for review (Exhibit 6). The analysis concludes that the City's storm water design requires a detention system to be designed to reduce peak runoff for the 2, 5, and 25-year storm events. Therefore, the peak runoff for these posted developed storms should be less than the existing storm events.

This standard is not met. The applicant can meet this standard by complying with Conditions of Approval 3 and 5.

Parks and Recreation

Finding: This criterion is addressed in Section 17.64.040.D below.

Traffic and Transportation

Finding: The applicant has indicated that the proposed development will contribute to the increase in traffic volumes that will eventually require modifications to the intersection of WarmerParrott and Central Point Road. For the present, this intersection is operating a level of service F for the minor-street left-turning movement during the evening peak hour. However, all other level of service movements are B, or better. The proposed development will satisfy its obligation for future improvements through the payment of system development charges and the signing of a non-remonstrance agreement with the City.

The applicant submitted a Traffic Impact Analysis (TIA) for this proposal by Todd E. Mobley; P.E., with Lancaster Engineering and dated April 2004 (Exhibit 4). The TIA has been reviewed by the City and David Evans and Associates (Exhibit 14) and it has been determined that the applicant's TIA generally meets the City's requirements and this project is not expected to trigger offsite mitigation, rather it will simply add to the need for planned improvements already underway. The applicant shall be responsible for signing a Non-Remonstrance Agreement with the City for future improvements and future homebuilders shall be responsible for paying System Development Charges at the time of permit issuance.

David Evans and Associates indicates that the TIA meets City requirements and find that the development proposal does not require off-site mitigation measures to address transportation impacts of the development.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 6.

#### Schools

Finding: The Oregon City School District was notified of the development. The applicant has indicated that the School District Business Manager, Ken Rezac, stated that there is school capacity available for the added housing. The elementary school, not the middle school or high school, may require a boundary change as this property is within 1,000 feet of the school. The district prefers to match properties that are close by to particular schools. Mr. Rezac indicates that if a boundary is necessary that this is not a negative. The school district uses boundary adjustments as a tool to using some of their under capacity schools rather than adding and subtracting modular classrooms.

The City did not receive a response from the School District concerning this application. The applicant meets this standard as proposed.

#### Fire and Police Services

Finding: Comments were received from Clackamas County Fire District 1 concerning the design of the subdivision. There were no comments related to an inability to provide adequate service to the site.

The Public Safety Director has indicated that increased residential development negatively impacts the ability of the Police Department to provide service due to a lack of resource. Staff acknowledges the needs of the Police Department for increased funding' however, the proposed development has not increased the density allowed in the base zone, is surrounded by subdivisions on three sides, and is served by a minor arterial. Preventing development of this infill lot would require that further out, less accessible lots be developed that would stretch the distances and response times to the site even further. This property is currently in the City, has not increased the underlying zones density, and is closer in than adjacent development. This standard is met as proposed.

## Approval Criteria and Justification for Variances

Finding: The applicant has addressed Chapter 16.12 below. The applicant has requested a variance to the pedestrian accessway lighting standards; however, the application will be brought forward to the Planning Commission for their consideration at a later date due to an error by the Planning Department in the notification of that separate request. This standard is met.

#### D Geologic Hazards

Finding: This site is located in a hydrological, geological, or geotechnical hazard area according to the DOGAMI map in Bulletin 99-Geology Hazards of North Western Clackamas County that indicates the proposed project site is located in a Wet Soils-High Water Table. The applicant has submitted a Geotechnical Engineering Report for the Central Point Road Subdivision by James D. Imbrie, P.E. and Kirk L. Warner,

R.G.; both with GeoPacific Engineering, Inc. The report, with recommendations, is dated March 14, 2004 (Exhibit 5).

It appears that the Geotechnical Report meets most of the City's requirements and has preliminarily addressed the geotechnical conditions for the proposed development. Applicant shall follow all recommendations suggested by the report.

This standard is not met. The applicant can meet this standard by complying with Conditions of Approval 21.

Water Resources

Finding: The site is subject to Chapter 17.49: Water Quality Resource Overlay District. The applicant submitted a separate Water Resource Review identified as Planning File WR 04-09.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 1.

Drafts of the proposed CC&R's

Finding: The applicant submitted a draft of the CC&R's, maintenance agreements, dedications, easements, and related documents for the subdivision (Exhibit 7). This standard is met as proposed.

Phasing

Finding: The applicant has indicated the proposed development will be completed in one phase. This standard is met as proposed.

Finding: The overall density of the proposed PUD in 4.16 dwelling units per gross acre (Page 50 of Exhibit 2). This standard is met.

## Chapter 16.12Minimum Improvements and Design Standards for Land Divisions [Section 17.64.120(B) requires that PUDs meet the applicable standards of this Chapter.]

16.12.010 Purpose and general provisions.

All land divisions shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the city's public facility master plan and city design standards and specifications. In reviewing applications for land division, the decision-maker shall take into consideration any approved land divisions and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans association with any land division must be reviewed and approved by the city engineer prior to construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction (Ord 98-1007 §1(part), 1998)

Finding: This chapter requires all land divisions to be in conformance with the policies and design standards established by Chapter 16.12 and other applicable City regulations and plans. City staff evaluated the proposed PUD plan against the minimum improvements and design standards and found that the plan can meet the requirements of Chapter 16.12 as proposed or by complying with the attached conditions of approval.

Chapter 16.12.020 - Street Design-Generally

Finding: The location, widths, and grades of the proposed street network appears to provide connectivity for future development of adjacent properties, a convenient street system, and for the safety of all modes of travel, including pedestrian and bicycle to, from, and through the subject site. The proposed public and private street systems appear meet the general street designs of the City with a few modifications identified below.

Chapter 16.12.030 Street Design-Minimum right-of-way

This standard addresses minimum right-of way width for public streets and discusses a variety of minimum street design standards brought forward from the Oregon City Transportation Master Plan. OCMC 16-12-030 allows specific right-of-way and pavement widths to be determined by the decision-maker based upon the City Engineer's recommendation.

Finding: The proposed interior street is classified as a Local Street by the Oregon City Transportation System Plan (TSP), which requires a right-of-way (ROW) width of 42-54 feet and a pavement width of 20 to 32 feet Currently, Westwood Drive, Hazelnut Avenue, and Vincent Drive have 50-foot ROW widths and pavement width of 32 feet.

The existing City street, Central Point Road, is classified as a Minor Arterial in the City's Transportation System Plan (TSP) and requires a ROW width of 64 to 114 feet and a pavement width of 36 to 88 feet Central Point Road has an existing ROW of 60 feet and a pavement width of 18 feet. The applicant has proposed an additional 5 feet of ROW along Central Point Road.

The applicant shall provide a full street local street improvement for Hazelnut Avenue, except through the Proposed Park Site, where the ROW will be reduced, the street pavement will be 28 feet, the planter strip on the southwest side of the street will be behind the sidewalk and the sidewalk and street trees will not be continued on the northwest side of the street. Staff is recommending a narrow street design in this section to reduce the impacts on the water resource and protect the existing trees in this section of the site.

The applicant has proposed street trees in tree wells on the southwest side of Hazelnut Avenue and Central Point Road. Rather than tree wells, the applicant shall provide a 5-foot planter strip on Hazelnut Avenue, which is the standard local street design, and a 6-foot planter strip on Central Point Road. The street design with planter strips, though not consistently required on Central Point Road, is the appropriate street design and provides a more rural design than the use of tree wells, which are traditionally associated with commercial development.

The applicant shall provide a half-street section on Central Point that consists of an 11-foot travel lane, 6-foot bicycle lane, 7-foot parking strip, 6-foot planter strip and a 5-foot sidewalk. Due to the location of this site in relation to the sensitive watersheds to the south of the site, staff is would allow the development of a green street design that is approved by the City Engineer as an alternative to the street design identified above.

This standard is not met. The applicant can meet this standard by complying with Conditions of Approval 7, 8, 9, 10 and 11.

#### Chapter 16.12.040 Street Design-Reserve Strips

The decision-maker shall require the dedication of reserve strips to prevent access to streets when recommended by the City Engineer to protect public safety and welfare.

**Finding:** The Applicant is not proposing any reserve strips. The Applicant shall provide a reserve strip along the property of tax lot 301 fronting Hazelnut Avenue except for the proposed driveway to access the existing residence.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 12.

#### Chapter 16.12.050 Street Design-Alignment

**Finding:** The proposed local street is simply a continuation of two stubs from existing adjacent subdivisions. The applicant meets this standard as proposed.

Chapter 16.12.060 Street Design-Constrained Local Streets and/or Right-of-Way

Any accessival with a pavement width of less than 32 feet shall require the approval of the City Engineer, Planning Manager, and Fire Chief, and shall meet minimum life safety requirements, which may include fire suppression devices as determined by the Fire Chief to assure an adequate level of fire and life safety.

Finding: A portion of Hazelnut Avenue is proposed at the 28-foot pavement and a minimum 45-foot right-of-way width with a sidewalk on one side only. This design was proposed to minimize the impacts on the existing grove of trees. The applicant has indicated that the local constrained street standards and life safety requirements would be met. The section of Hazelnut Avenue that is less constructed with less than 32 feet of pavement shall be restricted to parking on one side of the road.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 22.

Chapter 16.12.070 Street Design-Intersection Angles

Finding: This standard is met as proposed (Page 28 of Exhibit 2).

Chapter 16.12.080 Street Design-Additional right-of-way

Finding: This standard is addressed in Section 16.12.030 above.

Chapter 16.12.090 Street Design-Half Street

Finding: The applicant will be providing a half-street improvement plus an addition 10 feet of pavement to provide

safe driving lanes in both directions on Central Point Road. This standard is met as proposed.

Chapter 16.12.100 Street Design-Cul-de-sac

Finding: No cul-de-sac is proposed. This standard is not applicable.

Chapter 16.12.110 Street Design-Private Street

The city discourages the use of private streets and permanent dead-end private streets except where construction of a through street is found by the decision-maker to be impracticable due to topography; some significant physical constraint such as unstable soils, wetlands, natural or historic resource areas, dedicated open space, existing development patterns, or arterial access restrictions. As a minimum, private streets and/or right-of-way shall comply with the following criteria and, if necessary, slope easements and altered curve radius may be required by the city engineer:

- A Maximum length of two hundred feet. An exception to this may only be permitted if emergency vehicular access and supportive facilities are provided and the application is recommended by the city engineer;
- B. Applies only to planned unit developments,
- C Facilities are constructed to city standards,
- 1) Sidewalk located on one side of the street and may include rolled curbs;
- E. Maintenance agreement identifying all owners of the lots in the plat which identifies the maintenance of the private street and mechanism for implementation; and
- F Minimum of twenty feet pavement width. (Ord. 98-1007 §1(part), 1998)

Finding: The applicant has proposed a private street in conjunction with the preservation of the water resource and creation of a city neighborhood park totaling 3.5 acres. The private street is no a dead-end and will have a pavement width in excess of 20 feet for the street and the alley. The length of the street will exceed 200 feet; however, an exception may be permitted if emergency vehicular access and supportive facilities are provided and the application is recommended by the city engineer. Clackamas County Fire District #1 has provided comments to address the emergency vehicular access and supportive facilities and the city engineer has recommended approval with conditions for this application. The private street will be constructed to city standards, will have sidewalks located on both sides of the street and the applicant has provided a maintenance agreement for the maintenance of the private street.

The following comments were submitted by the Clackamas County Fire District (Exhibit 45), the city's fire provider:

- 1) Access easement to lots 14 to 19 needs 30-foot inside curve radius and 20-foot wide pavement,
- 2.) Access roads serving lots 3 and 4, 14 to 19, 1 and 2 need no parking signs per UFC Article 9, both sides alternating 50 feet spacing. Street maintenance agreement must include maintenance of signs age and parking enforcement by residences; and
- 3) Sprinklers required on lots 23-27, 38-43 due to fronting on constrained street.

This standard is not met. The applicant can meet this standard by complying with conditions of approval 13 and 14.

#### Chapter 16.12.120 Street Design-Street Names

Finding: The applicant meets this standard as proposed (Page 29 of exhibit 2).

#### Chapter 16.12.130 Street Design-Grades and Curves

Finding: The proposed street will be designed to conform to City standards. The applicant has satisfied this standard as proposed.

## Chapter 16.12.140 Street Design-Access Control

Where a land division abuts or contains an existing or proposed arterial or collector street, the decision-maker may require access control, screen planting or wall contained in a reserve strip along the rear or side property line, or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic

Finding: The applicant has proposed a three rail fence and landscaping along Central Point Road, a minor arterial, to enhance the streetscape and adequately protect the residential properties that will be created. The applicant shall provide a Non-vehicular access strip along lots 1, 10, 14, 15, 18 and 19 to prevent access from the lots to Central Point Road.

Due to the location of proposed lot 10 in relation to the intersection of Central PointRoad and Hazelnut Avenue and the presence of a driveway at the rear of the lot that will provide access to proposed lots 1 and 2, the applicant will not be allowed to access Lot 10 from Central Point Road or Hazelnut Avenue. The applicant shall access Lot 10 from the accessway to Lots 1 and 2.

This standard is not met. The applicant can meet this standard by complying with conditions of approval 15 and 24.

#### Chapter 16.12.150 Street Design-Pedestrian and Bicycle Safety

Finding: The applicant has indicated that the proposed street improvements will be designed to comply with city requirements, which included handicap ramps at the intersections (Condition of Approval 10), which are not shown on the site plans. The jog in Hazelnut Avenue will serve to further slow vehicular traffic on the street. The applicant meets this standard as proposed.

#### Chapter 16.12.160 Street Design-Alleys

Finding: The applicant has indicated that the proposed street improvements will be designed to comply with city requirements. The alley will be designed as a private street that meets the minimum width requirement of 20 feet. This standard is met as proposed.

#### Chapter 16.12.170 Street Design-Transit

Finding: The applicant has satisfied this standard as proposed (Page 29 of exhibit 2).

#### Chapter 16.12.180 Street Design-Planter Strips

Where practicable, all development proposed along local streets shall include planter strips that are four feet in width or larger, located adjacent to the curb

Finding: The applicant has proposed tree wells on Central Point Road and the south side of Hazenut Avenue. After further review of the proposal, which was initially supported by staff, the applicant shall provide a5 foot planter strip in both of these locations. The applicant has proposed trees along Jennifer's Loop, a private street, which exceeds the requirements for the development of a private street, but is appropriate for the

street design and staff would concur with the proposal. The requirement for street trees in planter strips is addressed in Chapter 16.12.030 above.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 10 and 11.

Chapter 16.12.190 Blocks-Generally

Finding: The applicant has proposed a general block system that accounts for the need for adequate building site size, existing development patterns, convenient motor vehicle, pedestrian, bicycle, and transit access through the site and to abutting properties. This standard is met as proposed.

Chapter 16.12.200 Blocks-Length

Finding: The applicant has proposed to connect two of the existing street stubs to the site. One street stub will not be continued through in order to preserve the water resource on the site and utilize the area for a neighborhood park. The proposed project is an infill project, and the block lengths have been determined by previous developments. This standard is met as proposed.

Chapter 16.12.210 Blocks-Width

Finding: The proposed lot layout provides for two tiers of lots. Due to the lack of streets to the north of the subject site, the creation of two tiered lots with the adjacent subdivision was not feasible. This standard is met as proposed.

Chapter 16.12.220 Blocks-Pedestrian and Bicycle Access

Finding: The applicant has proposed a pedestrian/bicycle accessway that will facilitate the most practicable and direct pedestrian connection from the proposed park, through the development and conecting to Central Point Road. This standard is met as proposed.

Chapter 16.12.230 Building Sites

The size, width, shape and orientation of building sites shall be appropriate for the primary use of the land division, and shall be consistent with the residential lot size provisions of the zoning ordinance

Finding: This standard is addressed in the Planned Unit Development section of the staff report concerning (C)

Adjustment to Dimensional Standards.

Chapter 16.12.240 Building Sites—Frontage Width Requirement

Each lot in a subdivision shall abut upon a cul-de-sac or street other than an alley for a width of at least twenty feet

Finding: The applicant shall adjust the property lines for 27, 28 and 29 if necessary to achieve the minimum 20-foot width required for each lot to abut a street. Currently, lot 28 has approximately 10 feet of frontage. There is sufficient room on the adjoining lots to accommodate the 10 additional feet.

Proposed lot 22 has an approximately 7-foot wide frontage on Jennifer Loop. The applicant shall increase the flag width of lot 22 to meet the 20-foot frontage requirement.

Lots 3 and 4 each have approximately 11 feet of frontage on Hazelnut Avenue. The applicant shall create a private street to access Lots 3 and 4 and provide the required 20 feet of frontage on a street.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 23.

Chapter 16.12.250 Building Sites -Through Lots

Finding: No through lots are proposed.

Chapter 16.12.260 Building Sites—Lots and Parcel Side Lines

Finding: All lot lines are at right angles or radial to the new streets. This standard is met as proposed.

## Chapter 16.12.270 Building Sites-Solar Access

Finding: The applicant indicates that the site and required street design are not aligned in a north-south or east-west direction and thus the site cannot be orientated in a manner that allows new lots to be orientated for optimum solar access. Due to the infill type of development, orientation of the building sites is not practicable, thus this standard is met as proposed.

## Chapter 16.12.280 Building Sites—Grading

Grading of building sites shall conform to the state of Oregon Structural Specialty Code, Chapter 29, Appendix Chapter 70 of the Uniform Building Code, any approved grading plan and any approved residential lot grading plan in accordance with the requirements of Chapter 15 48 and the Public Works Stormwater and Grading Design Standards, and the erosion control requirements of Chapter 17 4"

Finding: The applicant provided a preliminary Grading and Erosion Control plan. A final site grading plan shall be required as part of the final construction plans per the City Residential Lot Grading Criteria and the Uniform Building Code. The Grading plan has not shown the existing or proposed swales crossing the open space.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 16.

# Chapter 16.12.290 Building Sites—Setback and Building Location

Finding: The applicant has met this standard as proposed (Page 31 of Exhibit 2).

### Chapter 16.12.300 Building Sites-Division of Lots

Finding: No lots are dividable. This standard is not applicable.

#### Chapter 16.12.310 Building Sites-Protection of Trees

Finding: The applicant provided an existing condition plan and tree removal plan (Sheet 5 of exhibit FF) that identifies all of the trees to be removed from the site. The applicant has proposed a vegetative screen along the sites boundaries with the surrounding subdivisions. The number of trees to be planted within the landscaping easement is greater than the number of trees to be removed from the site that are located outside of the street ROW, easements and building setbacks. This standard is met as proposed.

#### Chapter 16.12.320 Easements

This standard governs the location improvement and layout of easements. These include utilities, unusual facilities, watercourses, access, and resource protection

Finding: The applicant has indicated that the easements for utilities and other features will be provided as required by the City. The final plat will show any easements required by the City and necessary for the development of the PUD in compliance with the requirements.

The applicant has not shown any utility easements in the private streets or public utility easements along the street frontages.

The applicant proposed a number of utility and access easements. The location and width will have to be finalized as part of the design review process of the construction plans. Additional easements/tracts may also be determined with the review of construction plans.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 17.

#### Chapter 16.12.330 Water Resources

Any land division which contains water quality resource area shall comply with the requirements of the water quality resource area overlay district. Chapter 17.49, including the requirement, pursuant to Section 17.49.060, that new subdivisions and partitions delineate and show the water quality resource area as either a separate tract or part of a larger tract that will not be seloped.

Finding: This section is addressed in Planning Files WR 04-09.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 1.

Chapter 16.12.340 Minimum Improvements—Procedures

In addition to other requirements, improvements installed by the applicant either as a requirement of these or other regulations, or at the applicant's option, shall conform to the requirements of this title and be designed to City specifications and standards as set out in the City's Facility Master Plan and Public Works Stormwater and Grading Design Standards

Finding: The applicant has indicated that no improvement work will commence until the construction plan are reviewed and approved by the City Engineer. Proposed improvements will conform to the requirements of Title 16 and be designed to City specifications and standards as set out in the City's master plan and Public Works Storm water and Grading Design Standards.

This standard is not met. The applicant can meet this standard by complying with Condition of Approval 3.

Chapter 16.12.350 Minimum Improvements-Public Facilities and Services

The following minimum improvements shall be required of all applicants for a land division under Title 16, unless the decision-maker determines that any such improvement is not proportional to the impact imposed on the City's public systems and facilities

Finding: This standard addresses minimum improvements, which are required for public transportation systems, storm water drainage and sanitary sewer systems. Minimum improvements are required for all land divisions (partitions and subdivisions) under Title 16. The Oregon City Engineering Division reviewed the need for the minimum improvements required for this project under Title 16 above.

This standard has not been met. The applicant can satisfy this standard by complying with condition of approval 6.

16.12.360 Minimum Improvements—Road Standards and Requirements

The creation of a public street and the resultant separate land parcels shall be in conformance with requirements for subdivisions or partitions

Finding: The applicant indicates that the proposal will meet this standard.

The applicant shall provide approval from the Clackamas County Fire to ensure that the proposed private streets are adequate for fire and life safety access and the applicant shall provide a legally binding means for the repair and maintenance of all private streets proposed.

This standard has not been met. The applicant can satisfy this standard by complying with Conditions of Approval 13 and 14.

16.12.370 Minimum Improvements—Timing Requirements

Finding: The applicant has indicated that prior to applying for final plat approval construction of all public improvements required as part of the preliminary plat approval will be complete or a guarantee for the construction of those improvements will be provided. The applicant has satisfied this standard as proposed.

Chapter 17.08 R-10 Single-Family Dwelling District

[Section 17.64.120(B) requires that PUDs meet the applicable standards of this chapter unless a alternative is approved.]

17.08.040 Dimensional standards.

Dimensional standards in the R-8 district are

- A Minimum lot areas, ten thousand square feet,
- B Minimum average lot width, seventy-five feet,

- C Minimum average lot depth, one hundred feet,
- D. Maximum building height, two and one-half stories, not to exceed thirty-five feet,
- E. Minimum required setbacks.
  - I Front yard, twenty-five feet minimum depth.
  - 2 Interior side yard, ten feet minimum width for at least one side yard, eight feet minimum width for the other side yard,
  - 3 Corner side yard, twenty feet minimum width,
  - 4 Rear yard, twenty feet minimum width,
  - 5 Solar balance point, setback and height standards may be modified subject to the provisions of Section 17.54.070 (Ord 91-1020 §2(part), 1991, prior code §11-3-2(C))

Finding: The applicant has requested a condition of approval to address the existing home located on the north side of Vincent Drive that will become a corner lot (Page 33 of Exhibit 2). The condition of approval will not be necessary as the R-10 corner yard setbacks have been revised as of June 18, 2004 to allow a 15-foot setback.

The applicant has indicated the need to perform two lot line adjustments with surrounding property owners. The applicant has requested that the lot line adjustments be included as conditions of approval (Page 6 of Exhibit 2). Staff shall include the requirement to perform a lot line adjustment with tax lot 301 and tax lot 302 as proposed in this application as condition of approval 20.

Adjustments to these standard are addressed in the Planned Unit Development section of the staff report concerning (C) Adjustment to Dimensional Standards.

# Chapter 17.50 ADMINISTRATION AND PROCEDURES

17 50 050 Preapplication conference and neighborhood meeting

Finding: The applicant held a pre-application meeting with staff, identified as PA 03-70, on January 14, 2003 prior to submitting the application. The applicant held a voluntary meeting with the neighborhood prior to submitting the application. This criterion is met.

(b) 17 50 060 Application requirements

A permit application may only be initiated by the record property owner or contract purchaser, the city commission or planning commission Finding:

The property owner has initiated the permit application process.

(C) 17 50 070 Completeness review and one-hundred-twenty-day rule

Finding: The applicant submitted the application on May 4, 2004. The City deemed the application complete on June 3, 2004.

(d) 17.50 090 Public notices

All public notices issued by the city with regard to a land use matter, announcing applications or public hearings of quasijudicial or legislative actions, shall comply with the requirements of this section

Finding: The City has provided the required notice.

(e) 17.50.100 Notice posting requirements

Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply

Finding: The City has provided the required notice.

(f) 17 50 130 Conditions of approval and notice of decision

Finding: The City will provide notice of this decision and has imposed reasonable conditions of approval.

) 17 50 140 Performance guarantees

When conditions of permit approval require the applicant to construct certain improvements, the city may allow the applicant to submit a financial guarantee in lieu of actual construction of the improvement. Financial guarantees shall be governed by this section.

Finding: The applicant has not proposed to post any performance guarantees at this time.

## Chapter 17.64 Planned Unit Development

Chapter 17.64.010 Purpose

A planned unit development ("PUD") is a form of residential land development that allows increased flexibility in design standards, dimensional requirements and mixes of land use and structure types. A PUD should allow for a more customized design and development through a process that involves a public hearing before the planning commission at the preliminary plan stage. The purposes of this chapter are

- A To promote an arrangement of land uses, lot sizes, lotting patterns, housing and development types, buildings, circulation systems, open space and utilities that facilitate the efficient and economic use of land and, in some instances, a more compact, pedestrian-oriented, mixed use urban design. Specifically, this can be accomplished through the PUD process with mixed-use developments. The objective of allowing a mix of residential, commercial and office uses is to provide an integrated urban community whereby each of the parts compliments one another to produce a cohesive whole, and
- B To preserve existing natural features and amenitics and provide useful common open space available to the residents and users of the proposed PUD. Specifically this can be accomplished through the PUD process by preserving existing natural features and amenities, or by creating new neighborhood amenities.
- C To protect and enhance public safety on sites with natural or other hazards and development constraints through the clustering of development on those portions of a site that are suitable for development
- D To provide flexibility for dimensional requirements of underlying zones or overlay districts to better achieve the purposes of a PUD (Ord 00-1005 §1, 2000 Ord 97-1024 §1(part), 1997)

Chapter 17.64.020 Definitions - This section is not a criterion the applicant is required to address.

Chapter 17.64.030 Applicant's option

A development proposal may be processed as a PUD at the applicant's option, and is offered as an alternative process for residential development, provided, that at least eighty percent of the gross density allowed by the underlying zone is met. If the property bears a PUD overlay designation, the property may be developed only in accordance with this chapter. PUD overlay designations will be legislatively applied by the city to residentially zoned land with natural features, physical characteristics, topography, development constraints, or other unique or special circumstances that warrant preservation or otherwise constraint development of the property (Ord 60-1005 §3, 2000 Ord 97-1024 §1(part), 1997)

Finding: The applicant has proposed the PUD option with 96% density, which exceeds the minimum requirement of at least 80% of the gross density allowed by the underlying zone. This standard is met.

# Chapter 17.64.040 permitted uses and basic PUD requirements

This section provides the uses allowed in a PUD as well as the basic elements required of all PUDs

- A Uses Permitted Outright Notwithstanding the use provisions of the underlying residential zone, the following uses and their accessory uses are allowed outright as part of the PUD
  - 1 Detached single-family dwellings and duplexes on individual lots,
  - 2 Attached single-family dwellings and multiple-family dwellings, such as townhouses, condominiums, common wall units and row houses,
  - 3 Public or private parks and playgrounds, community buildings and/or outdoor recreational facilities, such as swimming pools and tennis courts;
  - 4 Indoor recreational facilities, such as racquetball or tennis courts, fitness centers or swimming pools,
  - 5 Common public and private open space,
  - 6 Hiking and/or bicycle riding trails;
  - 7 Accessory structures and uses permitted in the existing underlying zone

Finding: The applicant has proposed permitted uses 1, 2, 3, and 5.

B. Conditional Uses. Notwithstanding the use provisions of the underlying residential zone, all uses allowed outright in the neighborhood commercial zone are allowed, with appropriate conditions, as part of a PUD.

Finding: The applicant has not proposed a conditional use on the site. This criterion is not applicable

C Adjustments to Dimensional Standards All dimensional standards that would otherwise apply to a property or development as be adjusted in the context of a PUD without a separate variance application. In all developments, the perimeter of the development shall maet the underlying zone's setbacks. However, unless an adjustment is specifically requested and explained in the PUD application or recommended by the city, the dimensional standards of the underlying zone will apply. The applicant may request, and the decision maker may approve, adjustments from all dimensional requirements of the underlying zone except that gross density shall not be less than eighty percent of the gross density allowed by the underlying zoning designation. Adjustments from all other dimensional standards may be allowed if the adjustment(s), in the context of the entire PUD and in conjunction with any mitigation, better achieve the purposes and requirements of this chapter than would strict compliance with the dimensional standards of the underlying zone, and if allowing the adjustment(s) does not significantly adversely affect adjacent properties. Adjustments granted pursuant to this section are not subject to the requirements in Chapter 17.60 of this code.

Finding: The applicant has requested several modifications to the dimensional standards to the R-10 zone to accommodate the neo-traditionally designed attached and detached housing units. The modifications are necessary to develop on the reduced lots sizes, meet density requirements, and accommodate the mix of housing types within the constraints that affect the property, including the natural drainage channel that limits useable area on the site. Please see the applicant's additional information concerning setbacks contained on page 40 of exhibit 2.

The applicant has proposed the following modifications:

Standard	R-10	Proposed Detached Housing	Proposed Attached Housing
	10,000 sf	7,826 sf	3,561 sf
Lot Area		66 ft min	41 ft min
Lot Width	75 ft min		109 ft min
Lot Depth	100 ft min	111 ft min	1071031111
Setbacks			100
Front	25 ft	15 ft.	15 ft.
Side	10 / 8 ft	9/5 ft	0 / 9 ft
	20 ft.	15 ft. Lots 5, 10, 12, 33	10 ft. Lot 20
Corner	2011.	12 ft. Lots 34, 37	15 ft. Lot 38, 43
	20 ft.	20 ft.	15 ft. (18 ft. garage)
Rear	2.5 stories or 35 ft.	2.5 stories or 35 ft.	2.5 stories or 35 ft.
Building Height	2.0 Stories of 55 ft.		

The applicant has proposed to reduce the R-10 setback standards for the detached housing to the existing R-6 standards, which have been approved by the City for 5,000 square foot lots. The applicant has indicated that lots 1-4 and 22-28 would have at least a 30-foot rear yard setback, exceeding the 20-foot requirement of the R-10 zone and that lot 21 would meet the R-10 side yard setback along the southwest property line as required.

The applicant has proposed setbacks that provide for private open space, housing separation, and are similar to comparable existing zoning designations that have established setbacks that have been adopted by the City for the preservation of, and livability within, existing and new neighborhoods. The subdivision to the north of the subject site is designed with the standard R-10 setbacks. The PUD to the south of the site was approved with 15-foot front yard and corner setbacks, 5-foot and 7-foot side yard setbacks and 10-foot rear yard setbacks.

The applicant has provided a breakdown of the surrounding developments lot and building sizes in order to demonstrate the compatibility of the proposals with the existing residential development (Exhibit GG). The applicant has proposed to require that all detached lots have a minimum 2,000 square-foot building footprint in order to ensure that the size of the homes will be compatible with the surrounding developments. The applicant has situated 10 of the 13 attached units on the interior private street; they will not abut any existing homes in the surrounding developments. The applicant has provided 4 large lots with a minimum lot size of 9,700 square feet adjacent to the 10,000 square foot lots to the north of the site

and a minimum lot size of 7,600 square feet adjacent to the PUD that has an average lot size of approximately 7,300 square feet.

The applicant has proposed neo-traditional design standards, including rear loaded garages and front porches, to be incorporated in the CC&R's, a landscaping buffer around the exterior of the site that will be protected in a conservation and preservation easement, and additional landscaping along the public ROW's to enhance the pedestrian experience along the sidewalks and pedestrian accessway to the city park.

The applicant has requested that the following conditions of approval be required of this application:

- 18. Prior to occupancy, or the first November, whichever comes first, the applicant shall install the City approved buffering plan behind lots 1-4 and 21-28. In addition, the applicant shall record a conservation and preservation easement that protects each of these landscaped areas. This document shall specifically prohibit the removal of any of the landscaping unless such material has been found to be dead or diseased and in danger of dying, or presents a hazard to the property. If the landscaping is removed for any reason, the property owner shall replace the landscaping with similar materials to those originally planted; and
- 19. Lots 1, 10, 11, 12 14, 15, 18, 19, 21 and 32-37 shall have landscape areas that complement the project's right-of-way enhancements. Lots 19, 22, 28 and 29 will have landscape areas that complement the project's accessway enhancements. The applicant shall record a conservation and preservation easement that provides for the homeowner's association with the right to maintain each of these areas if the individual property owner fails to do so. This document shall specifically prohibit the removal of any of the landscaping unless such material has been found to dead or diseased and in danger of dying, or presents a hazard to the property. If the landscaping is removed for any reason, the property owner shall replace the landscaping with similar materials from the Oregon City Native Plant and Tree List.

Staff would recommend that the proposed setbacks by the applicant for the PUD be approved. The applicant has met this standard as proposed with Conditions of Approval 18 and 19.

D Open Space and Landscaping The applicant shall provide at least twenty percent of the total gross area as common open space for the recreational needs of the development's residents either on-site or off-site and in close proximity to the development (within one-quarter mile). The open space area may be in private ownership. A portion of the required open space may be used as a buffer between different uses. No less than twenty feet in width shall be used for transitional buffers in addition to the underlying zone setback. The open space shall provide for a mix of passive and active uses. Passive uses include, but are not limited to sitting benches, picnicking, reading, bird watching and natural areas. Active uses include, but are not limited to playgrounds, basketball, baseball, running and walking areas. Land area to be used for the open space area and landscaping that is required in this section shall not include streets, rights-of-way, driveways, parking spaces or public facilities. Unless otherwise allowed, the applicant shall also provide an irrevocable legal mechanism for the maintenance of the open space and any related landscaping and facilities. The applicant shall submit, for city review and approval, all proposed deed restrictions or other legal instruments used to reserve open space and maintenance of open space and any related landscaping and facilities.

Finding: The applicant has proposed in excess of 20% of the total gross area as common open space that will be incorporated into the future city property to create a neighborhood park on 3.5 acres of the site. The applicant has indicated the equivalent development costs associated with the open space area and natural resource area would be provided to the city for the overall park improvements. This standard is met as proposed.

E Timely Provision of Public Services and Facilities. As part of the preliminary PUD plan, the applicant shall demonstrate, or provide a suitable guarantee of, adequate capacity in each of the following public services or facilities to serve the proposed PUD.

1 Water, 2 Sanitary sewer; 3 Stormwater management; 4 Traffic system and transportation infrastructure, including streets, roads, transit, pedestrian and bicycle facilities, 5 Schools, and 6 Fire and police services

Finding: These standard are addressed in Section 16.08.050 above.

F. If the applicant elects to guarantee that any particular public service or facility will have adequate capacity, the required capacity shall exist prior to issuance of building permits

inding: The applicant shall provide the required services and facilities prior to the issuance of a building permit. This standard is met.

G Relationship to the Natural and Physical Environment Streets, buildings and other site elements shall be designed and located to preserve the maximum number of significant trees (i.e., those trees six inches or greater in diameter, measured four feet from the ground), significant natural resources, jurisdictional wetlands, and natural (i.e., natural features). These natural features shall not be disturbed after submittal of a complete land use application for as long as the application is active or until public infrastructure construction is approved and accepted by the city engineer. An exception to this ban on disturbing natural features is allowed if planned disturbances are included in the city-approved construction plans or if the Corps of Engineers or the Oregon Division of State Lands issues a permit that affects natural features. Development shall be designed, constructed and maintained in accordance with the unstable soils and hillside constraint overlay district and the water quality resources areas overlay district where applicable

Finding: The applicant has proposed street, building, and other site elements that appear to be designed and located to reserve the maximum number of significant trees, natural resources and natural features. The applicant has proposed to correct the existing flooding problem associated with the water resource located on the site as part of the development and has proposed an enhancement plan to improve the resource. The site is not located in the unstable soils and hillside constraint overlay district. The applicant has indicated that the realigned swale will be re-vegetated per the city standards. The applicant will contribute to the remainder of the resource improvements, but the improvements will be completed with the park upgrades.

The project site is located in the Water Quality Resource Area Overlay District. The applicant is responsible to comply with the decision of the Planning Commission concerning Planning File WR 04-09 for the protection and mitigation of the water quality resource area on the site and the impacts the proposed development will have on the resource.

This standard is not met. The applicant can meet this standard by complying with Conditions of Approval 1.

H. Mixed-use. To ensure development within a PUD contains the correct blend of mixed uses, no more than eighty percent, but at least fifty percent, of the total net developable area shall consist of single-family residential development. Twenty percent of the net developable area shall consist of residential uses other than single-family dwellings

Finding: This criterion is met as proposed by the applicant (Page 44 of exhibit 2).

Chapter 17.64.050 Density Bonuses

The decision-maker may exercise its discretion and grant a residential density bonus resulting in a maximum of up to one underlying 20ne allowed density gross percent ofhundred

Finding: The applicant has not requested a density bonus. This criterion is not applicable.

# 17.64.060 Initiation of a PUD--Review process.

A Prior to submitting a PUD application for a PUD permit, the applicant shall schedule and attend a pre-application conference as provided in Section 17 50 050.

Finding: The applicant held a pre-application meeting with staff, identified as PA 03-70, on January 14, 2003 prior to submitting the application. The applicant held a voluntary meeting with the neighborhood prior to submitting the application. This criterion is met.

B The city shall provide the opportunity for concurrent processing of the PUD and any other related permits, land use and limited land use approvals required for development of the subject property

Finding: The applicant chose not to consolidate the Site Plan and Design Review for the attached housing and landscaping. This criterion is not applicable.

The review process for PUD is set forth in detail in the sections of this chapter

Finding: The applicant held a pre-application conference with the City. The preliminary PUD plan will be reviewed through a Type III process. If the plan is approved, and the applicant moves forward with development of the PUD, the final PUD plan will be reviewed to ensure the plan conforms to the preliminary plan and all conditions and requirements are met. The review will be processed as a Type I review.

17.64.070 Pre-application conference.

Before the city accepts an application for preliminary PUD plan approval, the applicant must attend a pre-application conference with the planning manager pursuant to Section 17 50 030, and pay the required fee

Finding: The applicant held a pre-application meeting with staff, identified as PA 03-70, on January 14, 2003 prior to submitting the application. The applicant held a voluntary meeting with the neighborhood prior to submitting the application. This criterion is met.

17.64.080 Preliminary PUD plan application.

A At any time following a pre-application conference, an applicant may apply for preliminary PUD plan approval Finding: The applicant submitted the application on May 4, 2004.

B The city's review and decision making process for preliminary PUD plans is described in the sections that follow and basically involves a staff completeness check of the applicant's submission

Finding: The City deemed the application complete on June 3, 2004. The staff report was prepared and available 7 days prior to the duly noticed public hearing. The Planning Commission will review the proposal and render a decision concerning this application.

17.64.090 Preliminary PUD plan--Required plans.

Finding: This criterion was met.

17.64.100 Preliminary PUD plan-Narrative statement.

Finding: The Water Resource Report was reviewed as a separate Planning File, identified as WR 04-09. The final version of the CC&R's will be submitted to the City prior to final approval of the PUD. This criterion was met.

17.64.110 Preliminary PUD plan-Tabular information.

Finding: The applicant submitted the required tabular information as part of the application (Page 50 of Exhibit 2). The site is not located on any hillside or unstable slopes. This criterion was met.

17.64.120 Preliminary PUD plan approval criteria.

The decision maker shall approve an application for preliminary PUD plan if the following criteria are met-

A The proposed preliminary PUD plan is consistent with the purposes and requirements of this chapter set forth in Sections 17 64 010 and 17 64 040, and any applicable goals or policies of the Oregon City comprehensive plan,

Finding: This criterion is addressed above in the report.

B The proposed preliminary PUD plan meets the applicable requirements of the underlying zoning district, any applicable overlay zone, such as Chapters 17.44 or 17.49, and applicable provisions of Title 16 of this code, unless an adjustment from any of these requirements is specifically allowed pursuant to this chapter;

Finding: The site is located within the Water Quality Resource Area Overlay District. The applicant submitted a water resource report that will be reviewed by the Planning Commission and is identified as Planning File WR 04-09. The PUD shall comply with the decision of the Planning Commission concerning WR 04-09. The provisions of Title 16 are addressed above.

C Any phasing schedule proposed by the application must be reasonable and shall not exceed five years between approval of the final PUD plan and the filing of the final plat for the last phase. Dedication or preservation of open space or natural

features, in a form approved by the city, must be recorded prior to the issuance of building permit(s) for existing tax lots of the first phase of any multi-phase PUD;

Finding: The applicant has not proposed any phasing for this project. This criterion is not applicable.

D The applicant has demonstrated that all public services and facilities have adequate capacity to serve the proposed development, or adequate capacity is assured to be available concurrent with development,

Finding: This criterion was addressed above in section 17.64.040.E.

E All adjustments from any applicable dimensional requirement requested by the applicant or recommended by the city are justified, or are necessary to advance or achieve the purposes and requirements of this chapter better than would compliance with the dimensional requirements of the underlying zoning (Ord 00-1005 §11, 2000 Ord 97-1024 §1(part), 1997)

Finding: This criterion was addressed above in section 17.64.040.C.

# 17.64.130 Preliminary PUD plan decision--Duration and extensions.

The decision maker may deny, approve or approve with conditions the preliminary PUD plan. The decision maker may impose any conditions necessary to ensure compliance with the approval criteria. An approval is valid for a period of twelve months from the date of decision. If within twelve months of the date of preliminary PUD plan approval, the applicant has not applied for final PUD plan approval, the preliminary PUD plan approval shall be void However, the applicant may apply to the planning manager for up to two extensions of up to six months each (total maximum extension on a preliminary PUD plan approval is twelve months beyond the original twelve months). The planning manager shall consider granting requests as provided in Section 17 50 210 (Ord 00-1005 §12, 2000 Ord 97-1024 §1(part), 1997)

Finding: The Planning Commission, as the decision maker, shall make a decision on this application at a duly noticed public hearing and impose those conditions they deem necessary to ensure compliance with the approval criteria.

17.64.140 Design review.

Finding: The applicant has indicated an application for Site Plan and Design Review of the attached housing and landscaping shall be submitted if the PUD is approved, as allowed per code. This criterion is met.

7.64.150 Final PUD plan.

The applicant must apply for final PUD plan approval within twelve months following approval of the preliminary PUD plan Review of the final PUD plan is processed as a Type I decision by the planning manager so long as the final PUD plan does not propose any material deviations from the approved preliminary PUD plan

Finding: This criterion is not applicable at this time. This requirement will be implemented during review of the final PUD plan.

17.64.160 Filing and recording of final PUD plan.

Following approval of the final PUD plan, the applicant shall file with the county recorder the confirmed and approved final PUD plan together with all pertinent documents approved as to form by the city attorney (Ord 97-1024 §1(part), 1997)

Finding: This criterion is not applicable at this time. This requirement will be implemented upon the filing and recording of the final PUD plan.

17.64.170 Control of the development after completion--Modifications to final PUD plan.

Finding: Any modification to the final PUD plan will comply with this section.

17.64.180 Performance surety.

In approving any PUD, the decision maker may require adequate financial guarantees of compliance with any aspect of the final PUD plan as authorized in Section 17.50 140 of this title (Ord 00-1005 §14, 2000 Ord 97-1024 §1(part), 1997)

Finding: The decision maker shall require adequate financial guarantees to ensure compliance.

17.64.190 Expiration of final PUD plan approval.

Finding: The final PUD plan approval will expire twelve months after the mailing of the final PUD plan approval unless an extension is applied for from, and granted by, the City.

STAFF RECOMMENDATION:

Based on the analysis and finding as described above, staff recommends that the proposed application for the Planned Unit Development can be approved by the Planning Commission with the attached Conditions of Approval.

### **EXHIBITS:**

- Vicinity Map 1.
- Applicant's Narrative; dated June 10, 2004 2.
- Sketches of Proposed Landscape Fence and Attached Homes 3.
- Lancaster Engineering Executive Summary (Full Study On File), dated April, 2004 4
- GeoPacific Report (On File), dated March 14, 2004 5.
- Preliminary Storm Calculations (On File), dated April 1, 2004 6.
- Proposed Design Guidelines and CC&R's, dated June 28, 2004 7.
- Site Plan, dated April 2004 8.
- Site Plan Revised Page 8 9.
- Site Plan, Landscaping L-5, dated June 29, 2004 10.
- Parks and Recreation comments (On File) 11.
- Public Safety Director comments 12.
- Building Official comments (On File) 13.
- Traffic Analysis, David Evans & Associates 14.
- Mr. Cunningham of 19665 Central Point Road, Oregon City, OR 97045 15.
- Mr. Dotson of 19679 Central Point Road, Oregon City, OR 97045 16.
- Mr. and Mrs. Landholm of 19599 Central Point Road, Oregon City, OR 97045 17.
- Mr. Johnson of 19882 South White Lane, Oregon City, OR 97045 18.
- Ms. Crawford of 11822 Skellenger Way, Oregon City, OR 97045 19.
- Mr. Wheeler of 19566 Central Point Road, Oregon City, OR 97045 20.
- Hazel Grove / Westling Farm Neighborhood Association minutes 21.
- Mr. and Mrs. Cramer, no address provided 22.
- Mr. Craven of 19481 Westling Drive, Oregon City, OR 97045 23.
- Mr Thompson of 11613 Hazelnut Court, Oregon City, OR 97045 24.
- Mr. and Mrs. Behm of 11846 Skellenger Way, Oregon City, OR 97045 25.
- Mr. Vickers of 19384 Hazel Grove Drive, Oregon City, OR 97045 26.
- Mr. and Mrs. Kirkpatrick of 19429 Vincent Drive, Oregon City, OR 97045 27.
- Ms. Grandall of 19407 Hazel Grove Drive, Oregon City, OR 97045 28.
- Mr. Clark and Ms. Brooks of 19445 Vincent Drive, Oregon City, OR 97045 29.
- Mr. Meiners of PO Box 827, Oregon City, OR 97045 30.
- Mr. and Mrs. Miesing of 19365 Hazel Grove Drive, Oregon City, OR 97045 31.
- Petition from Ms. Brooks of 19445 Vincent Drive, Oregon City, OR 97045 32.
- Petition from Ms. Brooks of 19445 Vincent Drive, Oregon City, OR 97045 33.
- Mr. Crozier of 11834 Skellenger Way, Oregon City, OR 97045 34.
- Mr. and Mrs. Tuttle of 19449 Vincent Drive, Oregon City, OR 97045 35.
- Mr. and Mrs. Flitcroft of 19716 Derringer Drive, Oregon City, OR 97045 36.
- Mrs. O'Brien of 19364 Hazel Grove Drive, Oregon City, OR 97045 37.
- Mr. O'Brien of 19364 Hazel Grove Drive, Oregon City, OR 97045 38.
- Mr. Hendricks, no site address provided 39.
- Mr. and Mrs. Courand of 19763 Partish Road, Oregon City, OR 97045 40
- Mr. Cayson of 19441 Vincent Drive, Oregon City, OR 97045 41.
- Mr. Henry of 11830 Skellenger Way, Oregon City, OR 97045 42.
- Mr. Rustan of 19530 Central Point Road, Oregon City, OR 97045 43. Mr. and Mrs. Brandow of 19416 Westling Drive, Oregon City, OR 97045 44.
- Parks and Recreation Master Plan excerpt 45.
- Clackamas Fire comments 46.

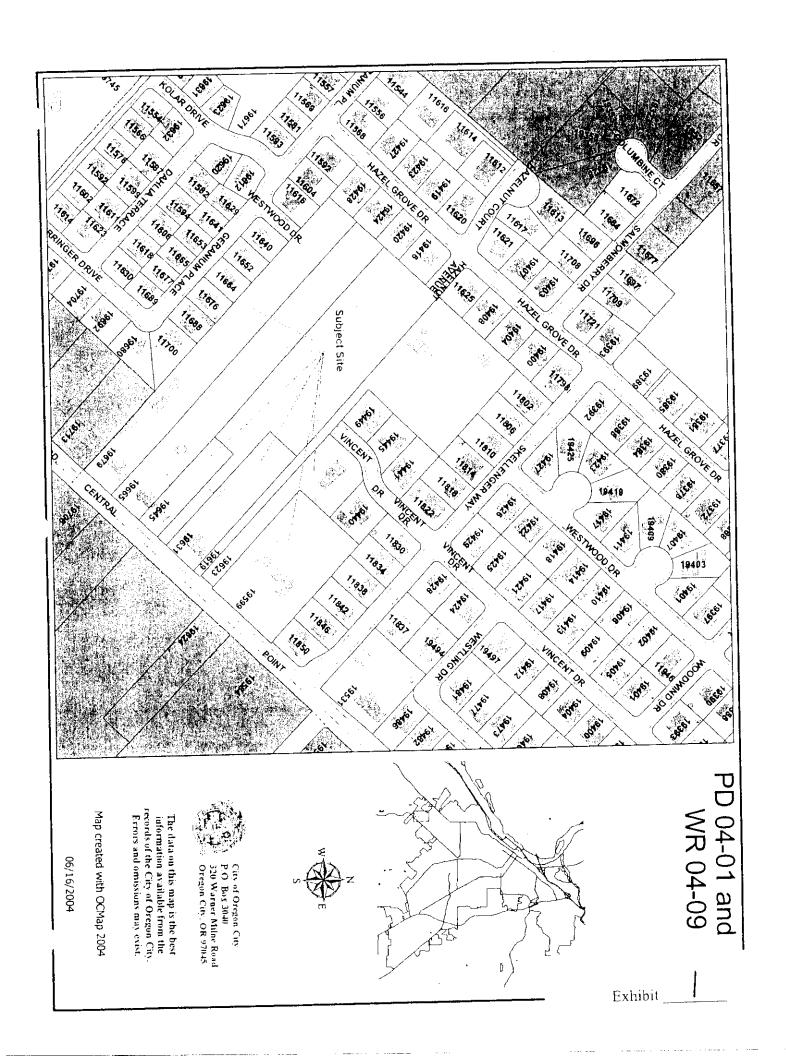
47.	City of Oregon Public Works Department comments	

# RECOMMENDED CONDITIONS OF APPROVAL PLANNING FILE: PD 04-01

- 1. The applicant shall comply with the conditions of approval of Planning Files WR 04-09
- 2. As part of the development, the applicant shall loop an 8-inch ductile iron water line in the interior street through the site and connect to the water main stubs in Hazel Nut Avenue and Vincent Drive and connect to the water main in Central Point Road.
- 3. The applicant is responsible for this project's compliance with Engineering Policy 00-01. The policies pertain to any land use decision requiring the applicant to provide any public improvements.
- 4. As part of the development, the applicant shall construct a City gravity sanitary sewer system through the site per City design criteria.
- 5. The developer shall provide detention and water quality systems that conform to current City standards. The design shall be approved by the City prior to the issuance of a grading permit for the site. The Applicant shall review the possibility of providing an off-site storm detention and water quality system in Parrish Glen's open space.
- 6. The applicant shall sign a Non-Remonstrance Agreement for the purpose of making sanitary sewer, storm sewer, water or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvements.
- 7. The applicant shall install sidewalks along the entire frontage of the open space tract and water resource areas, and along the frontages of all tracts, and all handicap access ramps at the time of street construction.
- S. The Applicant shall dedicate 5 feet of ROW along the sites frontage with Central point Road.
- 9. The Applicant shall dedicate appropriate ROW width for tapering the existing Hazelnut Avenue width to the proposed Hazelnut Avenue width.
- 10. The applicant shall provide full Local Street improvements for Hazelnut Avenue. A full street improvement includes: Centerline monument boxes, curb return radii and curb (handicap) ramps. The improved street portions that the applicant is required to provide includes, but is not limited to, base rock, paved full street width of 32 feet (2 @ 8-foot travel lanes, 2 @ 8-foot parking areas) except the street adjacent to the open space may have 28 feet of pavement, curb, gutter, 5-foot curb tight concrete sidewalk, street trees, city utilities (water, sanitary and storm drainage facilities), traffic control devices and street lights in compliance with the City code for Oregon City and its various Master Plans.
- Applicant shall construct half-street improvements along the site's frontage with Central Point Road. A half-street improvement is defined as to the centerline plus 10-foot. This provides the required improvement on the applicant's portion of the roadway, and allows the opposing travel way to have safe passage on the new gradient. Centerline monument boxes shall be required. The improved street portions that the applicant is required to provide includes, but is not to be limited to, 34 feet of pavement and base (11-foot travel lane, 6-foot bike lane, 7-foot parking space and 10-past centerline) on the project's side of the road, 6 foot planter strip with street trees and a 5-foot sidewalks city utilities (water, sanitary and storm drainage facilities), traffic control devices and street lights in compliance with the City code for Oregon City and its various Master Plans. An alternative Green Street design may be approved by the City Engineer.
- 12. The Applicant shall provide a reserve strip along the property of tax lot 301fronting Hazelnut Avenue except for the proposed driveway to access the existing residence.

- 13. The applicant shall provide the following based on the comments from the Clackamas County Fire:
  - 1) Access easement to lots 14 to 19 needs 30-foot inside curve radius and 20-foot wide pavement;
  - 2.) Access roads serving lots 3 and 4, 14 to 19, 1 and 2 need no parking signs per UFC Article 9, both sides alternating 50 feet spacing. Street maintenance agreement must include maintenance of signs age and parking enforcement by residences; and
  - 3) Sprinklers required on lots 23-27, 38-43 due to fronting on constrained street.
- 14. The applicant shall provide approval from Clackamas County Fire to ensure that the proposed private street is adequate for fire and life safety access and the applicant shall provide a legally binding means for the repair and maintenance of the private street. The approval shall be provided to the city prior to the issuance of a grading permit for the site.
- 15. Non-Vehicular Access Strips (NVAS) are required along the street frontages of all corner lots except for the 40 feet (along right-of-way) on each street furthest from the intersection. Some modification of these NVAS locations may be allowed as approved by the City on a case-by-case basis at time of plat review.
- 16. A final site grading plan shall be required as part of the final construction plans per the City's Residential Lot Grading Criteria and the Uniform building Code. If significant grading is required for the lots due to its location or the nature of the site, rough grading shall be required of the developer prior to the acceptance of the public improvements. There shall not be more than a maximum grade differential of two (2) feet at all subdivision boundaries. Grading shall in no way create any water traps, or create other ponding situations. The plan shall show the existing and proposed swales.
- 17. Public utility easements shall be dedicated to the public on the final plat in the following locations: ten feet along all street frontages. Easements required for the final engineering plans if known shall also be dedicated to the public on the final plat. Show any existing utility easements on the final plat.
- 18. Prior to occupancy, or the first November, whichever comes first, the applicant shall install the City approved buffering plan behind lots 1-4 and 21-28. In addition, the applicant shall record a conservation and preservation easement that protects each of these landscaped areas. This document shall specifically prohibit the removal of any of the landscaping unless such material has been found to be dead or diseased and in danger of dying, or presents a hazard to the property. If the landscaping is removed for any reason, the property owner shall replace the landscaping with similar materials to those originally planted.
- 19. Lots 1, 10, 11, 12 14, 15, 18, 19, 21 and 32-37 shall have landscape areas that complement the project's right-of-way enhancements. Lots 19, 22, 28 and 29 will have landscape areas that complement the project's accessway enhancements. The applicant shall record a conservation and preservation easement that provides for the homeowner's association with the right to maintain each of these areas if the individual property owner fails to do so. This document shall specifically prohibit the removal of any of the landscaping unless such material has been found to dead or diseased and in danger of dying, or presents a hazard to the property. If the landscaping is removed for any reason, the property owner shall replace the landscaping with similar materials from the Oregon City Native Plant and Tree List.
- 20. The applicant shall perform a lot line adjustment with Tax Lot 301 and Tax Lot 302 as proposed in this application.
- 21. The applicant shall comply with the conclusions and recommendations included in the Geotechnical Investigation dated March 14, 2004 (Exhibit 5) by James D. Imbrie, P.E.
- 22. No parking shall be allowed on the northeast side of Hazelnut Avenue where the pavement width is less than 32 feet.

- 23. The applicant shall adjust the lot line widths of the subdivision to provide a minimum 20 feet of frontage for proposed lot 28 to Jennifer's Loop. The applicant shall increase the flag width of lot 22 to meet the 20-foot frontage requirement. The applicant shall create a private street to access Lots 3 and 4.
- 24. No driveway access shall be allowed for proposed lot 10 from Central Point Road or Hazelnut Avenue. This lot shall be access from the point driveway at the rear of the property that will provide access to lots 1 and 2.





# Application for: Jennifer Run Planned Unit Development Oregon City, Oregon

Applicant:
MJF Development, Inc.
1616 SE Reedway Street
Portland, Oregon 97202

Applicant's Representative: Planning Livability LLC 3452 NW Vaughn Street Portland, Oregon 97210

Application To:
City of Oregon City
Community Development Department
320 Warner Milne Road
Oregon City, Oregon 97045

Revised June 10, 2004

Exhibit 2

### TABLE OF CONTENTS

EXISTING CONDITIONS	4
	••••
The same of the sa	
THE AREA OF AND HICTORIC ADEAS AND NATURAL RESOURCESSIONS	
AND LAND DECOLIDES OHALLY	
4. AIR, WATER, AND LAND RESOURCES QUALITY	12
ANDROCKTATION	
A THE ON CONCEDIATION	
The second section is a second	
***	• • • • • • • • • • • • • • • • • • • •
	••••
Parks and Recreation Goal:  Transportation System Plan  Transportation System Plan	E DI AN
- 4 4 6 6 4 1 1 1 - 1 - a - a - 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	
Chapter 12.24 PEDESTRIAN/BICYCLE ACCESSWATS  OREGON CITY LAND DIVISION ORDINANCE CRITERIA	23
OREGON CITY LAND DIVISION ORDINANCE CRITERIA	VISIONS 25
OREGON CITY ZONING ORDINANCE CRITERIA	.33
Chapter 17.08 R-10 SINGLE-FAMILY DWELLING DISTRICT	35
Chapter 17.52 OFF-STREET PARKING AND LOADING	38
Chapter 17.60 VARIANCES Chapter 17.64 PLANNED UNIT DEVELOPMENT CONCLUSION	
CONCLUCION	

1. Land Use Application Form

2. City Pre-Application Conference Summary, dated January 14, 2004

3. Proposed Jennifer Run Design Guidelines

- 4. Example Covenants, Conditions and Restrictions (with maintenance provisions)
- 5. Wetlands Determination Central Point Road Project Oregon City, Oregon by Hidden Springs Consulting Inc., dated March 2004
- 6. Water Quality Resource Area Standards Conceptual Mitigation Plan, Central Point Road Oregon City, Oregon by Hidden Springs Consulting, dated March 2004
- 7. Central Point PUD Traffic Impact Study, Oregon City, Oregon by Lancaster Engineering, dated April 2004
- 8. Geotechnical Engineering Report Central Point Road Subdivision, Oregon City, Oregon by GeoPacific Engineering, Inc. dated March 14, 2004

### PLAN SHEETS

- 1. Preliminary Layout (1 of 8)
- 2. Existing Conditions (2 of 8)
- 3. Utility Plan (3 of 8)
- 4. Grading and Erosion Control (4 of 8)
- 5. Tree Plan (5 of 8)
- 6. Planned Unit Development Plan (6 of 8)
- 7. Setback and Parking Plan (7 of 8)
- 8. Surrounding Neighborhood (8 of 8)
- 9. Landscape Plan (Sheet L-1)
- 10. Landscape Plan (Sheet L-2)
- 11. Landscape Plan (Sheet L-3)
- 12. Landscape Plan (Sheet L-4)

### **PROPOSAL** ١.

Jennifer Run is a 43 dwelling unit Planned Unit Development (PUD) application with dedicated open space area that is anticipated to become part of a city park.

### **EXISTING CONDITIONS** II.

### A. Site

The site is located in southwest Oregon City. The Jennifer Run PUD properties are located at 19599 Central Point Road, 19619 Central Point Road, 19623 Central Point Road, 19631 Central Point Road, 19645 Central Point Road, 19665 Central Point Road and 19679 Central Point Road. The 8 properties (all of six and portions of two lots) that make up this site comprise 12.01 acres (523,105 s.f.). The PUD comprises 10.35 of these acres. Five existing homes and six accessory buildings are located on the PUD site. The property has utility services on Central Point Road, Vincent Drive and Hazelnut Avenue. The site has slopes that range from about 2% to 6%. The property is located in the city's R-10 zone and has a drainage swale in the northwest area of the site.

The following summarizes the ownership of land that comprises this application:

		Owner	Acreage
Map 31E	Address		
12D Tax			
Lot		D. J. A. T. Landholm	1.83
300	19599 Central Point Road	Ben and Ann Landholm	<del></del>
301	19619 Central Point Road	Kenyon and Ann Hunt	.34 portion of 2.58
	40000 Control Point Pood	Brian and Jeanette Nodurft	.37 portion of
302	19623 Central Point Road	billi and sounded	.97
400	No Site Address	Leroy and Betty Thompson	3.35
400	19631 Central Point Road	Leroy and Betty Thompson	.93
401		Leroy and Betty Thompson	.50
402	19645 Central Point Road		2.39
500	19665 Central Point Road	Carter and Kristie Cunningham	
600	19679 Central Point Road	Rick and Keli Dotson	2.39

Information is from Clackamas County assessor's records.

### B. Site Vicinity

The property is located in the Hazel Grove-Westling Farm Neighborhood. Properties surrounding the site are single family homes most within the City of Oregon City and some within Clackamas County's jurisdiction. The following summarizes the zoning and land use on the neighboring streets surrounding the subject site:

Area Central Point Road (South	Jurisdiction	Zone/Use FU-10
and Southeast) Central Point Road (North)	Oregon City	R-10/Single Family
	Oregon City	R-10/Single Family

Area	Jurisdiction	Zone/Use
Hazelgrove Drive/Hazelnut Ave.	Oregon City	R-10/Single Family
Geranium Place/Westwood	Oregon City	R-10/Single Family
Drive		

Nearby properties include subdivisions and two Planned Unit Developments. See Surrounding Properties (Sheet 8) for more information about nearby lots and housing.

### C. Project Description

The proposal involves all or portions of eight properties located on Central Point Road. Only one home of five within the project are is proposed to be demolished as a result of this project. The project area and park purchase area of the site is approximately 12.01 acres. A total of 1.42 acres is an area that the city has indicated would be purchased for a park. The city anticipates combining this area with an additional 2.08 acres that would be dedicated through the PUD by the applicant, as open space.

The overall area of the Planned Unit Development is 10.35 acres. In addition to the 2.08 acres of open space, the remaining 8.27 acres is proposed as public right-of-way, private streets, accessways and 43 lots. The lots totaling 6.74 acres are comprised of 30 detached single family homes and 13 attached single family homes (5 two-family structures and 1 three-family structure). All 43 units would have separate ownership.

The project developer offers a quality project that is enhanced by a future city park on the property, excellent pedestrian connectivity, brick-pillared fencing along Central Point Road, extra landscape features, homes with pedestrian-oriented frontages (some homes will have rear alley garages), required covered front porches, and property design guidelines. Extra landscaping includes lengthened landscape strips within the Hazelnut Avenue right-of-way, a special 10-foot wide landscape area on the west side of Hazelnut Avenue (in the development area), a special 10-foot wide landscape area and pillar fence within and adjacent to the Central Point Road right-of-way, additional planting within and adjacent to the accessway areas, and street trees on the private street. The developer proposes rows of evergreen trees at the property edge combined with mandatory 30 foot setbacks to help protect privacy for abutting neighboring properties. All this landscaping would be put in at the time of project construction. Planting of the 10-wide strips would take place in October/November (or at the beginning of the wet season after infrastructure improvements have been completed.

The project is anticipated in one phase. The infrastructure, common landscape areas, streets and utilities would be built immediately. Hazelnut Avenue would be extended from its current stub street location at the northern-most portion of the site through to Central Point Road.

With the approval of the proposal, two lot line adjustments will be necessary for tax lots 301 and 400. Each would obtain new frontages on the public street, Hazelnut Avenue. The applicant proposes the dedication of a stub street area at the end of existing

Hazelnut Avenue (see crosshatched area of Sheet 1) to provide some flexibility and assure that tax lot 301 would maintain a minimum of 20-feet of lot frontage on Hazelnut Avenue prior to recording of the final plat. Once the lot line adjustment takes place this new frontage on Hazelnut Avenue would result in tax lot 301 having well in excess of the minimum lot frontage. Once the final plat is recorded for the project the new stub street portion of Hazelnut Avenue would be connected through to Central Point Avenue the entire southwest boundary of tax lot 301 (over 300 feet) would have frontage on Hazelnut Avenue.

The conditions of approval would also require a lot line adjustment for the southwest boundary of lot 301 to conform to the proposed street alignment and the new Hazelnut Avenue roadway. A second lot line adjustment would be needed for tax lot 302 (to remove the no longer needed panhandle portion of this lot). The applicant requests these be required as conditions of approval (all property owners involved with lot line adjustments are also applicants under this PUD). All lot line adjustments would be completed prior to final plat approval.

### **Permits Requested**

This application request includes the preliminary Planned Unit Development (PUD) approval of a Water Quality Resource District permit and a variance request for pedestrian pathway lighting. The need for the variance may become a moot point as the city is processing zone changes that include changing the pathway lighting standards. The zone change may be in effect prior to the construction of this project.

### **Project Density** E.

The proposed project density is as follows:

Area	Density
Proposed Project (10.35 Acres)	4.16 DU/Gross Acre
R-10 Zone Maximum	4.40 DU/Gross Acre
K-10 Zolle Maximum	

### OREGON CITY COMPREHENSIVE PLAN CRITERIA III.

### PENDING PLAN

### 2. LAND USE

Goal 2.1: Efficient Use of Land

Ensure that property planned for residential, commercial, office, and industrial use is used efficiently and that land will be developed following the principles of "Sustainable Development."

Response:

The proposed PUD offers efficient use of land including sustainable concepts such as conservation of natural areas, meeting city and metro planned density requirements while supporting auto, transit, bicycle and pedestrian transportation modes.

Policy 2.1.3 Encourage sub-area master planning for larger developments or parcels, including re-development, where it may be feasible to develop more mixed uses, or campus-style industrial parks, with shared parking and landscaping areas. Allow developments to vary from prescriptive standards if planned and approved under this provision.

Response:

This planned unit development offers areas of open space (to be shared by the neighborhood and city residents) that would become part of the city park system. The variation in dimensional standards allows greater open space areas, offers two housing types (attached and detached single family housing) and results in the efficient location of utilities.

Policy 2.1.6 Encourage the integration of mixed land uses into communities as a critical component of achieving better places to live.

Response:

The project proposes two types of housing, detached single-family and attached single-family homes. Although the built area of this project is somewhat denser that standard single family lots in the R-10 zone district, the proposal is careful to integrate the mix into the existing neighborhood by keeping detached home sites on the north and south perimeter of the project (lots 1-4 and 21-28). The applicant will require 30-foot rear yard setbacks for these perimeter lots for the setbacks that would abut existing housing. This exceeds the minimum requirement of 20 feet.

The project would also result in a city park that would be enjoyed by the neighborhood including residents in the existing homes on the surrounding streets.

### Goal 2.4: Neighborhood Livability

Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.

Response:

The project proposes both living space and park area, two very important components in creating and helping maintain a sense of place. The applicant also offers additional landscaping and design guidelines that will help assure that the housing and feel of this development supports and maintains the quality of the neighborhood.

Policy 2.4.3 Strive to establish facilities and land uses in every neighborhood that help give the neighborhoods vibrancy, a sense of place, and a feeling of uniqueness.

Response:

The project brings together an opportunity for dedicated open space to be matched with available land that has unique forest and wildlife features. The resulting park would be accessible, help create a sense of place and give the residents of this neighborhood an added feeling of uniqueness in where they live.

Policy 2.4.6 Where environmental constraints reduce the amount of buildable land, and/or where adjacent land differs in uses or density, implement comprehensive plan and zoning designations that encourage compatible transitional uses.

Response:

The Planned Unit Development or PUD is a tool supported by both the Comprehensive Plan and the Zoning Ordinance to accomplish protection of natural areas and maintain complementary buildable land. Using this tool, the proposed project offers both natural and built environments in compatible and close proximity to one another.

Policy 2.4.7 Ensure a process is developed to allow for neighborhood schools, senior and child care facilities, parks, and other uses that serve the needs of the immediate area and the residents of Oregon City.

Response:

The city anticipates having a 3.5 acre park as a result of this project. The process (PUD) would turn result in this park being possible where standard subdivision of this property would not do the same thing.

3. OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

Goal 3.1: Open Space

Establish an open space system that conserves fish and wildlife habitat and provides recreational opportunities, scenic vistas, access to nature and other community benefits.

Response:

The park that is anticipated to result with this project would provide a place for the public to have access to nature and other passive recreation.

Policy 3.1.1 Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.

Response:

The urban drainageway would be protected as part of the park open space area.

Page 8 of 52

MJF Development, Inc. Jennifer Run Planned Unit Development Revised June 10, 2004

Policy 3.1.2 Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites shall harmonize with natural surroundings.

Response:

The open space and park purchase area (Tract A) will likely become city parkland. It is our understanding that the city would keep the park in a more natural state and allow the public passive-type uses. These uses would be walking trails, picnic areas, territorial views, and maintaining most of the trees within the park (some would be removed to build the Hazelnut Avenue extension).

Policy 3.4.8 Identify and acquire lands from willing sellers/traders/donors to expand publicly owned and management open space and wildlife habitat within the city.

Response:

The project offers an opportunity for the city to "expand publicly owned and managed open space and wildlife habitat" by obtain a portion of this property (2.08 acres) through the dedication process and to combine this area with an additional area that the city will buy (1.42 acres). The applicant will contribute the equivalent development costs normally associated with the open space area (and natural resource) to the city towards the overall park improvements.

Policy 3.5.2 Conserve wetlands, riparian areas, and water bodies that have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation and fish, and wildlife habitat.

Response:

The drainage traverses the site in an open swale. The site's drainage swale has been subject to high peak flows as a result of the upstream subdivision. The swale has little existing resource value and is characterized by bare ground with overhanging thickets of blackberries and some pasture grasses. In its current condition, the lower portion of the drainage swale causes some flooding to properties in the vicinity of Westwood Drive. The applicant has offered to redesign the westerly portion of this swale to correct this existing condition. The project would result in a storm pipe crossing and a road crossing of the swale. The park improvements would include the removal of the invasive plant materials and establish new native trees and shrubs to enhance the value of this resource. The project biologist has also proposed a monitoring and maintenance plan to help plants get established and survive over time. This would result in an overall enhancement (not just conservation) of the drainage swale area.

Policy 3.6.2 Encourage and promote the restoration of the hydrologic and ecological character and function of streams that have been degraded by channeling or eliminated from the landscape by routing into culverts.

Response:

The drainage swale has evolved from peak stormwater flows from upstream development. The drainage in the area is currently routed through culverts and "daylights" only within the subject property. The project dedication of this area and likely future use as a park provides an opportunity for future ecological enhancement of the open swale area. As part of this project proposal, the applicant will realign a short portion of the drainage swale and provide facility upgrades to help correct an existing flooding problem.

Policy 3.8.3 Establish strong incentives for protecting trees on lands proposed for development.

Response:

See the attached Tree Plan in this application indicating substantial number of trees to be saved. Trees that are in within building envelopes or in areas of road construction will be removed. The applicant proposes lot lines and moved utilities to help protect a significant, 42-inch) fir on the east side of the property. Similarly, the applicant proposes that the sidewalk on the south side of Hazelnut Avenue change alignment to help protect a 17-inch fir. Most of the trees in the open space and park purchase areas are projected to be saved, excepting those in the alignment of the Hazelnut Avenue extension.

# 4. AIR, WATER, AND LAND RESOURCES QUALITY

Goal 4.1: Air Quality

To conserve, protect, and improve the quality of the air in Oregon City.

Policies |

Policy 4.1.1 Promote land use patterns that reduce the need for distance travel by single-occupancy vehicles.

Response:

The use of this property ties some recreational use to the existing and proposed portions of the Hazel Grove-Westling Farm neighborhood. Residents will not need to get in their cars to get to park land. The project is also within walking distance (approximately 1,000 feet) of McLoughlin Elementary School. Busses or parents would not need to drive children to this school. In addition, the proposal includes the extension of sidewalks, and accessways to provide good connectivity for walking and biking in the neighborhood.

Further air quality protection is offered via this project's open spaces with saved tree canopies as opposed to standard subdivision lots where fewer trees tend to be saved.

Policy 4.1.4 Encourage the planting and maintenance of the city's tree canopy to allow natural systems to improve air quality.

Response:

Much of the existing tree canopy would be preserved as a result of this Planned Unit Development (see Preliminary Layout, Sheet 1). Traditional subdivision development would not provide the opportunity to save as many trees as this proposal does. See the attached Tree Plan.

### 6. PARKS AND RECREATION

Goal 6.1: Developing Oregon City's Park and Recreation System Maintain and enhance the existing park and recreation system while planning for future expansion to meet residential growth.

Response:

The project helps meet this goal as it presents the opportunity to combine dedicated open space with park purchase property and result in a city neighborhood park.

Policy 6.1.1 Provide an active neighborhood park-type facility and community park-type facility within a reasonable distance (to be determined by the Park and Recreation Master Plan) of most residents of Oregon City.

Response:

The project provides the Hazel Grove-Westling Farm neighborhood with a public neighborhood park that is within walking distance of hundreds of homes. The city Parks and Recreation Department has indicated that the creation of a city park on this property is needed.

Policy 6.1.2 Whenever property adjacent to an existing neighborhood/community park becomes available, add property to the park and develop it to meet the current needs of existing neighborhoods.

Response:

The project provides about 2.08 acres of dedicated land (part of this PUD application) that can be combined with 1.42 acres of property that has been offered for purchase. The result would be a 3.5 acre neighborhood park that will help meet the needs of the Hazel Grove-Westling Farm neighborhood.

### Policy 6.1.9 Where passive recreation is proposed, emphasis shall be placed on the retention of natural conditions and the natural environment.

Response:

The open space and future park area would be an area for passive recreation. The park would maintain much of the forested area and the drainage area in a natural condition. Some upgrades to the drainage swale, a product of upstream development, would take place to relieve some existing flooding problems. Although specific improvements for the park are unknown at this time, the biologist suggests a revegetation plan (to meet the requirements of Chapter 17.49) to include only appropriate native plantings.

## Policy 6.1.12 Identify and protect land for parks and recreation within the urban growth boundary.

Response:

The project provides an opportunity for 3.5 acres of 12 total acres to be protected for park use. The applicant offers additional landscaping (beyond normal requirement) to help connect the neighborhood to this area.

### 8. HOUSING

Goal 8.1: Providing diverse housing opportunities for Oregon City residents.

Provide for the planning, development and preservation of a variety of housing types and lot sizes for a range of income levels and preferences.

Response:

The city provides a tool, the planned unit development ordinance that assists in allowing a diversity of housing types. It is also a tool that requires a full overview of the development that is being proposed. The applicant proposes both attached and detached housing. The attached housing will have a minimum of four different house types. The detached housing will provide a number of options with home size minimums of 1,500, 1,600, 1,800 and 2,000 square feet. To match with the surrounding neighborhoods, the lots on the perimeter of the project will have some of the larger minimum square footages. All housing will be of excellent quality and the variation in housing types will offer some opportunity for different price points.

This goal is very relevant to today's residents. Preferences are changing as the baby-boom generation is starting to reach retirement age. In the year 2007, there will be a huge increase in the number of people that reach the age of 62 (i.e. born after the war in 1945). Many of these residents will want to live single-family homes but without the maintenance required for larger homes and properties. The single-family attached home presents a nice alternative. This project offers housing of this type as well as more traditional detached housing.

Policy 8.1.3 Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development.

Response:

The city's Planned Unit Development process requires both detached and attached single-family residential homes. The proposed project meets the requirements of this section of the code and by providing a mix of 13 attached and 30 detached homes. The development also would result in mix of uses as some significant area for recreation would also result.

Policy 8.1.8 Use a combination of incentives and development standards to promote and encourage well-designed single-family subdivisions and multi-family developments that result in neighborhood livability and stability.

Response:

The Planned Unit Development (PUD) can be an excellent tool for the city in assuring that neighborhoods have adequate open space and good living conditions. The applicant has worked hard to meet all the requirements and has taken additional steps to help assure that this project is successful and works in the context of the neighborhood. Ideas such as self-imposed design guidelines will help assure quality homes, pedestrian-friendly front porches, additional landscape features, Central Point Road upgraded fencing with accessway and street entry points, upgraded fencing and additional landscaping along accessways, etc. The PUD also provides the opportunity for the city to create a public park, another element of a stable and livable neighborhood.

A copy of the applicant proposed design guidelines is attached (See Appendix 3). In addition to the aforementioned items, the guidelines also address façade materials, garage doors, siding, roofing, replication of plans, timing of landscaping and more.

### 9. PUBLIC FACILITIES

Goal 9.1: Provision of Public Facilities

Serve the health, safety, education, welfare, and recreational needs of all Oregon City residents through the planning and provision of adequate public facilities.

Response:

The project would result in safe neighborhood street, sidewalk and accessway connections along with open space area that is anticipated to become recreational area (park land) for the Hazel Grove-Westling Farm neighborhood.

Policy 9.1.4 Support development on underdeveloped or vacant buildable land within the City where urban facilities and services are available or can be provided

Page 13 of 52

MJF Development, Inc. Jennifer Run Planned Unit Development Revised June 10, 2004

and where land use compatibility can be found relative to the environment, zoning, and comprehensive plan goals.

The subject site consists of eight smaller underdeveloped sites that, by themselves, would tend to develop in a haphazard way. The proposed project provides an opportunity to better plan the utilities, protect natural features and provides an opportunity for a city park amenity through a well conceived plan. The project is similar to a master plan, which looks at the entire 12 acres.

Policy 9.1.6 Enhance efficient use of existing urban facilities and services by encouraging development at maximum levels permitted in the comprehensive plan, implementing minimum residential densities, and adopting an Accessory Dwelling Unit Ordinance to infill vacant land.

The subject site is surrounded by existing utility connections (and thus is a true infill site). The proposal while providing an opportunity to create a public park also results in densities that meet the minimum density standards and comply with the density outlined in both the current and pending Comprehensive Plans.

### Goal 9.4: Stormwater Management

Seek the most efficient and economical means available for constructing, operating, and maintaining the City's stormwater management system while protecting the environment and meeting regional, state, and federal standards for protection and restoration of water resources and fish and wildlife habitat.

Policy 9.4.4 Maintain existing drainageways in a natural state for maximum water quality, water resource preservation, and aesthetic benefits.

The proposal would result in a minor realignment of the existing open drainage channel with a new inlet to help fix an existing drainage problem that causes flooding near Westwood Drive. This improvement would be completed in conjunction with the project's stormwater facility improvements. The remainder of the existing drainage area would be improved with future park development and if developed per the project biologist's recommendations, result in; improved water quality, a better functioning resource and improved aesthetics. The drainage area would be improved to better serve the wildlife in the area (see the attached Water Resources Report for recommendations).

### 10. TRANSPORTATION

Goal 10.1: Land Use-Transportation Connection

Ensure the mutually supportive nature of land use and transportation is recognized in planning for the future of Oregon City.

Policy 10.1.8 Provide for walkable neighborhoods. Walkable neighborhoods are desirable places to live, work, learn and play, and, therefore, a key component of smart growth.

Response:

The project offers increased neighborhood walking connectivity through the construction of new sidewalks and accessways. The project would result in new walking connections from Central Point Road (both sidewalk and accessways), Hazelnut Avenue (sidewalks) and connection to Vincent Drive. The city is expected to construct a trail system within the new park area that will also increase pedestrian connectivity.

The applicant offers an enhanced landscape on the south side of Hazelnut Avenue through the development portion of the project. The design includes an extra 10foot wide landscape area with a three-rail fence with full landscaping including trees and shrubs. No driveways will be located on this side of Hazelnut Avenue.

The applicant proposes additional landscape features (10-foot wide strip, pillar and three-rail fence) on Central Point Road. Additional landscape area within the accessway near Central Point Road, street trees on the private road and on three sidewalks along shared driveways. All of the applicant proposed extra features will help enhance the pedestrian walking experience.

### 11. ENERGY CONSERVATION

Goal 11. 2: Energy Conservation

Plan public and private development to conserve energy.

Policy 11.2.1 Promote mixed-use development, increased densities near activity centers, and home-based occupations (where appropriate).

Response:

The project is compliant with this policy as it offers single-family detached and attached housing types and city park use for the site. These uses would be in close proximity to one another and have easy walking and biking access to nearby McLoughlin Elementary School.

Policy 11.2.3 Promote the design of new subdivisions to maximize energy conservation. Consideration should be given to Planned Unit Developments or

Page 15 of 52

cluster developments. Use landscaping to increase solar benefits and provide summer shading.

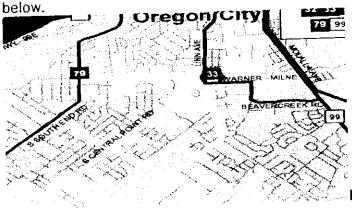
Response:

The project is compliant as it is a Planned Unit Development with some clustering of the development to make room for open space and possible future park features. A landscape plan has been proposed with city required (public) and optional (private) to help meet solar and shading requirements (see Landscape Plan Sheets L-1, L-2, L-3 and L-4).

Policy 11.2.6 Design transportation systems to conserve energy by considering: 1) the location of transit services, 2) the construction materials for new streets, 3) the adoption of street light standards that utilize energy efficient, non-glare light fixtures, 4) the location of commercial uses, and 5) adopting street standards designed for both efficient multi-modal transportation and protection of the quality of the region's stream systems.

Response:

The project will meet all city energy conservation requirements for construction and lighting. Additional energy conservation would result though the granting of an accessway lighting variance that is requested later in this document (see Chapter 17.60). The project provides support to multi-modal transportation including walking (sidewalk and accessway connections), a bike lane (on Central Point Road) and pedestrian connection for walking towards transit lines (Routes 79 and 33) in Southend Road and Warner-Milne Road. There is a park and ride lot at near the intersection of Warner-Milne and Linn Avenue. See portion of Tri-Met bus map



Portion of Tri-Met Bus Map

Policy 11.2.8 Construct bikeways and sidewalks, and require connectivity of these facilities to reduce the use of petroleum-based transportation.

Response:

The project offers increased neighborhood walking and biking connectivity through the construction of sidewalks, a bike lane and accessways. The project would result in new walking and bicycling connections from Central Point Road (both sidewalk and accessways), Hazelnut Avenue (sidewalks) and connection to Vincent

Page 16 of 52

Drive. These connections would allow bicycle and pedestrian connection to nearby McLoughlin Elementary School. The city is expected to construct a trail system within the new park area that will also increase pedestrian connectivity.

Policy 11.2.12 Plant, or require developers to plant, street trees and parking lot trees to reduce energy needs for cooling in the summer and heating in the winter.

Response:

The applicant will plant street trees along the Hazelnut Avenue and along the private street, Jennifer Loop. Additional trees are proposed on three sidewalks along shared driveways. Both accessways will include trees as well.

### B. EXISTING PLAN

Housing Goal: Provide for the planning, development, and preservation of a variety of housing types at a range of prices and rents.

Response:

The city provides a tool, the planned unit development ordinance that assists in allowing a diversity of housing types. It is also a tool that requires a full overview of the development that is being proposed. The applicant proposes both attached and detached housing. The attached housing will have a minimum of four different house types. The detached housing will have at least three housing options each with a minimum of 2,000 square feet. All housing will be of excellent quality and the variation in housing types will offer some opportunity for .different price points.

Policy 5. The City shall encourage a diversity of housing portions in new subdivisions by maintaining and periodically reviewing a planned unit development ordinance.

Response:

The city is currently reviewing the planned unit development ordinance. The applicant believes that this project fulfills the goals desired by the ordinance. The result - clustered development with preserved natural areas, housing that blends in with and supports the existing neighborhood, and city housing diversity and density.

Policy 9. The City shall provide for Planned Development regulations to encourage flexibility in the provision of housing types and densities ...

Policy 10. Any density transfer within a Planned Development shall demonstrate compatibility with adjacent residential development.

Response:

The city code currently provides planned development regulations. The project results in a diversity of housing type and meets the minimum density requirement. No density transfer has been requested.

Natural Resources Goal: Preserve and manage our scarce natural resources while building a livable urban environment.

Response:

The city code provides a tool, the planned unit development, option to subdivision with the above goal in mind. The project, as proposed, would result in preservation of a natural area. With some adjustments to standard zoning the project would also have a well-designed developable area as well.

Policy 7. Discourage activities that may have a detrimental effect on fish and wildlife.

Response:

The project would result in park improvements that would actually increase the habitat values in the area and around the existing drainage swale. The existing condition of the swale is very degraded with invasive plants (i.e. Himalayan blackberry), bare dirt and field grass. Future park improvements would help improve the habitat for wildlife.

### Natural Hazards:

Groundwater - Safeguards are required for areas within the city where there is a high water table (where groundwater rises to within 1.5 feet of the ground's surface).

Response:

The project contains some areas of city identified high (ground) water. applicant has provided a geotechnical report that addresses this issue. The project will have standard crawl spaces and raised floors. Due to the site's gradual slopes, planned grading is not expected to exceed several feet below the ground surface and the proposed grading plan would also be reviewed in detail by the project geotechnical engineer. All recommendations in the attached geotechnical report (March 14, 2004 GeoPacific Engineering, Inc. report) would be complied with.

Water Resources Goal: It has been determined by the City and its citizens that the remaining water resources within the Urban Growth Boundary are to be protected. This is due, in part, to the dwindling numbers of these resources and the value to the community. It has been determined that water resources provide for flood protection, water quality improvement, provide fish and wildlife habitat, provide natural products for economic development and create recreational opportunities and open space.

Page 18 of 52

MJF Development, Inc. Jennifer Run Planned Unit Development Revised June 10, 2004

Response: The project proposal would leave the existing drainage channel in its natural state with the exception of the city required road connection (Hazelnut Avenue) and the drainageway realignment (to help correct an existing flooding problem). It is anticipated that this drainageway would remain open (it is in pipe before and after it enters the site) and would become an amenity within the city park that is planned. The drainageway in close proximity to a forested area that is expected to become part of the city park.

Growth and Urbanization Goal: Preserve and enhance the natural and developed character of Oregon City and its urban growth area.

Response: This project provides both preservation of open space and an enhanced built environment. The applicant has put together a well designed plan and offers additional features to help assure that the development has aesthetic appeal. The optional enhancements include quality brick pillar three-rail and three-rail fencing, extra landscaping along public streets, extra landscaping and fencing along accessways, and design guidelines and requirements for home construction. The design includes no driveways on the south side of Hazelnut Avenue with extra landscaping to provide a better pedestrian experience between Central Point Road and the proposed park.

Energy Conservation Goal: Plan urban land development which encourages public and private efforts towards the conservation of energy.

Policy 1. Promote design (i.e. plat layout) of new subdivisions in order to maximize energy conservation efforts. Consideration should be given to Planned Unit Developments or cluster developments ...

Response: The project is compliant as it is a Planned Unit Development with clustering of the development and infrastructure which in turn allows room for open space and park features.

Policy 5. Encourage non-petroleum means of transportation by constructing bikeways and sidewalks.

Response:

The project offers increased neighborhood walking and biking connectivity through the construction of sidewalks, a bike lane and accessways. The project proposes new walking and bicycling connections on Central Point Road (sidewalk, bike lane), with new accessway connections (Central Point Road to Jennifer Loop and Jennifer Loop to the open space area), Hazelnut Avenue (sidewalks) with connection to Vincent Drive and Central Point Road. These connections would enhance bicycle and pedestrian connection to nearby McLoughlin Elementary School. The city is

expected to construct a trail system within the new park area that will also increase pedestrian connectivity.

Serve the health, safety, education, welfare and Community Facilities Goal: recreational needs of all Oregon City residents through the planning and provisions of adequate community facilities.

Policy 7. Maximum efficiency for existing urban facilities and services will be reinforced by encouraging development at maximum levels permitted in the Comprehensive Plan and through infill of vacant City land.

Response:

The subject site is surrounded by existing utility connections (and thus is a true infill site). The proposal while providing an opportunity to create public park also would result in densities that meet the minimum density standards. Additional efficiency is created when development is clustered and not spread out over the entire property. The project complies with the density outlined in both the current and pending Comprehensive Plans.

Parks and Recreation Goal: Maintain and enhance the existing park and recreation system while planning for future expansion to meet residential growth.

Response: The City's Parks and Recreation Department has reviewed their plans and determined that this site is an appropriate location for a neighborhood park. The applicant is supportive of the idea and has offered both dedication land and land for purchase to comprise the future 3.5 acre park. The project would also result in the applicant contributing the equivalent development costs normally associated with the open space area (and natural resource) to the city towards the overall park improvements.

### Transportation System Plan

Response: All requirements of the Transportation System Plan shall be met including building Hazelnut Avenue to local street standards and the construction of the ½ street improvements at the property frontage on Central Point Road to minor arterial standards. The project also will provide public access in accessways on private properties along with additional public connectivity within the private street, Jennifer Loop.

# D. HOUSING RESOURCE DOCUMENT FOR THE CITY OF OREGON CITY COMPREHENSIVE PLAN, OCTOBER 2002

This resource document evaluates existing residential land use and evaluates this by future need based on housing projects.

Page 20 of 52

MJF Development, Inc. Jennifer Run Planned Unit Development Revised June 10, 2004

"In order to make efficient use of urban land and infrastructure (water, sewer, streets), Metro urges cities to ensure that housing is built at densities of at least 80 percent of the maximum allowed by zoning."

Response: The proposal would meet 96% (43/45) of the allowed density in the zone. (If the park purchase property were part of the project, the figure would be 83% (43/52) of the entire 12.01 acres.)

3 Future Housing Need

The City of Oregon City completed a land inventory in May 2002 to determine the existing vacant residential land supply within the City's UGB.

3.1.1.2 Partially Vacant Land

Many of the parcels within the city have a single-family home with lot area that is a number of times the minimum lot size. There are 117 parcels zoned R-10 that are three to five times the minimum lot size and 99 parcels that are more than five times the minimum lot size. The housing study calculates as many of 1184 housing units could be built given a conservative 80% of each zones maximum allowable density.

Response: Five of the project lots involve partially vacant land (each with an existing single family home) that is three to five or more than five times the minimum lot size of 10,000 square feet. The sixth lot is a vacant property. The remaining two lots have long panhandles that would no longer be needed for access once the project is built. Each of these lots is within the city and the property proposal would involve 96% of the allowed density in the zone (on the 10.35 acre, PUD portion of the site).

3.4 Land Needs/Surplus by Housing Type

The analysis indicates that almost the entire needed single family housing can be accommodated on vacant and partially vacant property that is already within the UGB.

Response:

The project involves the development of six parcels (and portions of two others) that are already in the UGB (and in the city), and are either vacant or partially vacant properties. The proposed project fulfills some of the needed housing that is projected by the Housing Inventory to come from infill-type lots.

### IV. Title 12 STREETS, SIDEWALKS AND PUBLIC PLACES

Response: The proposal would meet the Street and Sidewalk standards of Title 12. Pedestrian/Bicycle Accessways are addressed in detail below:

# A. Chapter 12.24 PEDESTRIAN/BICYCLE ACCESSWAYS 12.24.040 Development standards.

Page 21 of 52

MJF Development, Inc. Jennifer Run Planned Unit Development Revised June 10, 2004 A. Entry points shall align wherever practical with pedestrian crossing points along adjacent streets and with adjacent street intersections.

B. Accessways shall not exceed four hundred feet in length between streets. Accessways shall be free of horizontal obstructions and have a nine-foot, six-inch high vertical clearance to accommodate bicyclists. To safely accommodate both pedestrians and bicycles, accessway right-of-way widths shall be as follows:

1. For accessways under two hundred feet in length, a fifteen-foot wide right-of-way with a centered ten-foot wide paved surface.

3. If an accessway also provides secondary fire access or a public utility corridor, the right-ofway width shall be at least twenty feet with a centered fifteen-foot wide paved surface.

C. Accessways shall be direct with at least one end point of the accessway always visible from any point along the accessway. On-street parking shall be prohibited within fifteen feet of the intersection of the accessway with public streets to preserve safe sight distance and

promote safety.

D. To enhance pedestrian and bicycle safety, accessways shall be lighted with pedestrianscale lighting. Accessway lighting shall be to a minimum level of three foot-candles and shall be oriented not to shine upon adjacent residences. Street lighting shall be provided at both entrances and may also be required at intermediate points along the accessway as necessary for safety as determined by the review authority. Lamps shall include a high pressure sodium bulb with an unbreakable lens.

E. Wherever practicable, accessways shall have a maximum slope of five percent and avoid

the use of stairways.

Response: The access point to the proposed accessways to connect Central Point Drive to the Jennifer Run development and the new park is located approximately 300 feet south of the proposed intersection of Hazelnut Avenue and Central Point Drive. The two accessways are each less than 200 feet in length, 15-feet wide and to be placed in easements. Each would be maintained by the homeowner's association. Both accessways will have at least one end point of the accessway visible from any point along the accessway.

A lighting variance is requested as this level of lighting intrusive for adjacent properties, even with "no glare" provisions the minimum 3-foot-candle requirement is out of character for the area that the accessway will traverse. A reasonable and safe standard lighting level of a maximum of one foot candle and a minimum of 0.5 foot candle or similar standard as recommended by staff along the pedestrian pathway (see 18.60 Variances, below). The accessways will not require slopes in excess of 5% grade or stairways.

### 12.24.040 Development standards. (continued)

- F. Accessways shall be fenced and screened along adjacent property in residential areas by:
- 1. A vegetation screen at least forty-eight inches high with an additional four-foot high evergreen vegetation screen; or
- 2. A minimum five-foot high chain link fence with a row of three- to four-foot high evergreen shrubs or climbers planted along the fence; or
- 3. If there is an existing fence on private property adjacent to the accessway, a four-foot high evergreen vegetative screen;
- 4. In satisfying the requirements of this section, evergreen plant materials that grow over four feet in height shall be avoided. All plant materials shall be selected from a list of suitable plant materials which the city shall maintain;
- 5. The review authority may waive the requirement for vegetative screening upon demonstration that a vegetative screen is not practicable.

G. Accessways shall be designed to prohibit motorized traffic. Curbs, removal lockable posts and bollards are suggested mechanisms to achieve this.

H. Accessway surfaces shall be paved with all weather materials as approved by the city. Accessway surfaces shall be designed to drain stormwater runoff to the side or sides of the accessway. Minimum cross slope shall be two percent. Unpaved portions of the accessway, excluding gravel shoulders, shall be planted in an evergreen ground cover. Where the right-of-way is twenty feet or more, a row of approved two-inch minimum caliper trees, of medium size not to exceed twenty-five feet in height at maturity, shall be planted at twenty-foot spacings on one side of the path.

I. In parks, greenways or other natural resource areas, accessways may be approved with a five-foot wide gravel path with wooden, brick or concrete edgings.

Response: The southeast accessway would be 10 feet wide, include three-rail fencing (to match the Central Point Road frontage fencing) and would have a 5-foot wide landscape strip on the south side of the paved portion of the accessway. The north side of this accessway path would be on private property and include fencing and a three-foot landscape area to match up with the accessway planting. The individual property owners would be required to maintain this plant strip within their property. The homeowner's association would have a landscape easement and ultimate responsibility should any property owner fail to maintain a segment of planting.

The northwest accessway area would also be 15 feet wide with 2½-foot wide planted areas on either side of the paved 10-foot wide path. See the attached landscape plans. All accessways, associated fencing (tract of private) and associated landscaping (tract or private) would be maintained by the homeowner's association. Vegetation screening and accessway construction would meet the requirements of this criterion. Conventional curbs located on Central Point Road and Jennifer Loop will help keep motorized vehicles from using the accessways.

All accessway planting would take place in October/November (or at the beginning of the wet season).

### V. OREGON CITY LAND DIVISION ORDINANCE CRITERIA

### A. Chapter 16.08 SUBDIVISIONS-PROCESS AND STANDARDS

1. 16.08.010 Purpose and general provisions.

Response: This application shall meet the standards of the Planned Unit Development portion of the city code. One variance is requested (not part of the PUD application) and explained under Oregon Municipal Code Section 17.60 Variances, below. The PUD request is in response to the desire to preserve open space and do some clustering of the density allowed on this site. The applicant wishes greater flexibility in layout, including developing some private streets. This application is for preliminary PUD approval per the provisions of the city code.

2. 16.08.020 Preapplication conference required.

Response: The pre-application conference was held January 14, 2004 (See Appendix 2)

16.08.030 Preliminary subdivision plat application.

Response: The submittal includes a complete description of existing conditions, the proposed subdivision, an explanation of how the application meets all applicable approval standards, a preliminary layout (subdivision plat), a narrative statement and the required tabular information.

16.08.040 Preliminary subdivision plat-Required plans. 4.

Response: All maps and site drawings are provided at a minimum scale of one inch to fifty feet. The application includes the following sheets: Preliminary Layout, Existing Conditions, Utility Plan, Grading and Erosion Control Plan, Tree Plan, Planned Unit Development Plan, Setback and Parking Plan, Surrounding Neighborhood, and Landscape Plan (sheets L1-L4).

16.08.050 Preliminary subdivision plat-Narrative statement.

In addition to the plans required in the previous section, the applicant shall also prepare and submit a narrative statement that addresses the following issues:

A. Subdivision Description.

Response: See PUD detailed description in 17.64.100, below.

B. Timely Provision of Public Services and Facilities.

Response: See PUD Timely Provision of Public Services and Facilities in 17.64.100, below.

C. Approval Criteria and Justification for Variances.

Response: This submittal includes one variance request for accessway lighting. The variance criteria are addressed in OCMC Chapter 17.60 below.

- D. Geologic Hazards
- E. Water Resources
- F. Drafts of the proposed covenants, conditions and restrictions (CC&Rs), maintenance agreements, homeowner association agreements, dedications, deeds easements, or reservations of public open spaces not dedicated to the city, and related documents for the subdivision:
- G. A description of any proposed phasing, including for each phase the time, acreage, number of residential units, amount of area for nonresidential use, open space, development of utilities and public facilities;

H. Overall density of the subdivision and the density by dwelling type for each. Response: Each of the above items is addressed in the response section in

17.64.100, below.

16.08.070 Preliminary subdivision plat-Approval standards and decision. Response: These required standards are addressed in Chapter 16.12 and 17.08 below.

# B. Chapter 16.12 MINIMUM IMPROVEMENTS AND DESIGN STANDARDS FOR LAND DIVISIONS

### 1. 16.12.010 Purpose and general provisions.

Response: The project will comply with applicable standards in the city's public facility master plan and city design standards and specifications.

### 2. 16.12.020 Street design—Generally.

The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. Where location is not shown in the development plan, the arrangement of streets shall either:

A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;

B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the land division and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Reserve strips shall be required to preserve the objectives of street extensions.

Response: The project includes the continuation of Hazelnut Avenue with proposed intersections at Vincent Drive and Central Point Road. Hazelnut Avenue would be built to city's local street standard. A through connection to the stub street at Westwood Drive is not proposed as the area would be part of the proposed park and is within a water quality resource district area.

Jennifer Loop is a proposed private street with pedestrian sidewalks. Pedestrian/bicycle accessways would provide connections between Central Point Road and Jennifer Loop and Jennifer Loop and the new open space area to the northwest. Surrounding property is built out and therefore no new stub streets are proposed.

### 3. 16.12.030 Street design-Minimum right-of-way.

Type	Min. Right-of-Way	Req. Pavement Width
Local street	40 to 50 feet	32 to 34 feet
Private street	None	20 feet

Response: Proposed Hazelnut Avenue, a local street, would have a 53-foot right-of-way (compliant with the Transportation System Plan) and a 32-foot pavement width from Central Point Road to Vincent Drive (approx. 560 feet) in the area of proposed new homes. Hazelnut Avenue, from Vincent Drive to the stub street to the northwest would have a minimum 45-foot right-of-way and a 28-foot (parking on one side only) pavement width. Jennifer Loop, a private street, would have a 28-32 foot pavement width. Private alleyways would meet the minimum 20-foot minimum pavement width. All streets would comply with these standards.

Page 25 of 52

- B. Specific right-of-way and pavement widths shall be determined by the decision-maker based upon the city engineer's recommendation. New primary structures on an accessway with a pavement width of less than thirty-two feet may be required to install fire suppression devices, as determined by the fire chief to assure an adequate level of fire and life safety. Response: A portion of proposed Hazelnut Avenue would have less than 32 feet (28 feet) of pavement width. This was in response to city suggestion that the road would have less impact on trees, the resource area and the park. (If required, the applicant would be willing to build this segment of street to the 32-foot standard.) No new structures would be built in this area that is deemed to be part of the future park area. With the proposed street section, parking would be allowed only on one side of the street. Additional fire suppression devices for a public right-of-way would therefore not be needed. All private streets shall meet Fire Department requirements for development.
- C. The decision-maker may require or allow a constrained standard for a proposed local street in order to accommodate some site condition or achieve a particular design objective, which ordinarily shall not be built on a right-of-way narrower than thirty feet and shall comply with the following criteria:

1. Applies only to lands with comprehensive plan land use designation of low density residential (five thousand square foot minimum); and

2. Satisfies Section 16.12.060.

Response: A portion of Hazelnut Avenue is proposed with a 28-foot pavement width and a sidewalk on one side only, as this area would be in the water quality resource district and future park area. This would help minimize encroachment into the park and the water quality resource (a site condition). The constrained standard applies given that the land is in a low density residential land use designated area.

- D. The city may require an increase in fire suppression devices when access constraints exist. Response: The applicant does not believe that additional fire suppression devices are necessary as no structures are proposed in the constrained area.
- E. The decision-maker may allow the creation of private streets designed and built to AASHTO standards specified by the city engineer and maintained by the applicant or a homeowners' association. Where private streets are proposed, the applicant shall submit for city review the proposed covenants, conditions and restrictions that create and organize the homeowners' association. The design and construction standards specified for the private street shall meet applicable fire and life safety emergency access standards.

Response: The development proposal includes a private street (Jennifer Loop) and two shared private alleys and five shared driveways. An example of the covenants, conditions and restrictions (CC&R's) have been submitted with this document (see Appendix 4). The example shows typical protections under the covenants, conditions and restrictions, bylaws, party-wall agreement, incorporation of homeowner's association, and the access, shared utility and maintenance agreement. The private street (in a tract) and two alleys (on private properties) will have access easements and be maintained by the homeowner's association. All shared driveways with sidewalk and trees will also be maintained by the homeowner's association. Shared driveways with no sidewalks will be maintained

by the affected property owners (under separate agreements). Streets shall be built to AASHTO standards and will meet the applicable fire and life safety emergency access standards.

### 4. 16.12.040 Street design-Access control strip.

Response: No access control strips are proposed or needed.

### 5. 16.12.050 Street design-Alignment.

As far as is practicable, streets other than local or constrained streets shall be aligned with existing streets by continuation of the center lines. For local streets, staggered street alignment resulting in "T" intersections shall, wherever practicable, leave a minimum distance of two hundred feet between the center lines of streets having approximately the same direction and, in no case, shall be less than one hundred feet. The minimum distance between streets intersecting a collector or arterial shall be five hundred feet between center lines, unless the decision-maker finds that a lesser distance will not pose a safety hazard.

Response: Hazelnut Avenue will align with and continue the centerline from the existing centerline at the existing Hazelnut Avenue stub street. No local streets with "T" intersections will be developed leaving less than 100 feet between the centerlines of similar streets having approximately the same direction.

### 6. 16.12.060 Street design—Constrained local streets and/or rights-of-way.

Any accessway with a pavement width of less than thirty-two feet shall require the approval of the city engineer, planning manager and fire chief and shall meet minimum life safety requirements, which may include fire suppression devices as determined by the fire chief to assure an adequate level of fire and life safety. The standard width for constrained streets is twenty feet of paving with no on-street parking and twenty-eight feet with on-street parking on one side only. Constrained local streets shall maintain a twenty-foot wide unobstructed accessway. Constrained local streets and/or right-of-way shall comply with necessary slope easements, sidewalk easements and altered curve radius, as approved by the city engineer and planning manager.

Table 16.12.060 STREET DESIGN STANDARDS FOR LOCAL CONSTRAINED STREETS			
	Minimum	Required	
Type of Street	Right-of-Way	Pavement Width	
Constrained local street	30 to 40 feet	20 to less than 32 feet	

Response: A portion of Hazelnut Avenue is proposed at the 28-foot pavement and a minimum 45-foot right-of-way width and a sidewalk on one side only. The local constrained street standards and life safety requirements would be met.

### 7. 16.12.070 Street design-Intersection angles.

Response: All intersections would be close to 90 degrees angles to one another. In no case would an intersection be less than the minimum 80 degree angle.

### 8. 16.12.080 Street design–Additional right-of-way.

Response: A five-foot right-of-way dedication has been requested and will be provided on Central Point Road.

### 9. 16.12.090 Street design-Half street.

Response: A half street improvement has been required for improvements in Central Point Road.

### 10. 16.12.100 Street design-Cul-de-sac.

Response: No cul-de-sacs or dead end streets have been proposed.

### 11. 16.12.110 Street design-Private street.

The city discourages the use of private streets and permanent dead-end private streets except where construction of a through street is found by the decision-maker to be impracticable due to topography; some significant physical constraint such as unstable soils, wetlands, natural or historic resource areas, dedicated open space, existing development patterns, or arterial access restrictions. As a minimum, private streets and/or right-of-way shall comply with the following criteria and, if necessary, slope easements and altered curve radius may be required by the city engineer:

A. Maximum length of two hundred feet. An exception to this may only be permitted if emergency vehicular access and supportive facilities are provided and the application is recommended by the city engineer;

- B. Applies only to planned unit developments;
- C. Facilities are constructed to city standards;
- D. Sidewalk located on one side of the street and may include rolled curbs;
- E. Maintenance agreement identifying all owners of the lots in the plat which identifies the maintenance of the private street and mechanism for implementation; and
- F. Minimum of twenty feet pavement width.

Response: The applicant proposes private streets and alleys to help accommodate the dedication and sale of 3.5 acres of open space that will become a city park. The private road standards help provide city desired density on this urban infill property.

The project does not propose any private, dead end streets or alleys that are longer than 200 feet. This application for preliminary approval is for a planned unit development. Facilities will meet city standards. Jennifer Loop would have sidewalks on both sides of the street along with standard curbs and curb cuts. The shared driveway to Lots 3 and 4 would have a sidewalk on one side. The two private alleys will include standard curbs and a minimum of 20 feet of pavement width. An attached maintenance agreement is included in the Draft Covenants Conditions and Restrictions (see Appendix 4) identifies the responsibilities of all property owners in the plat to maintain the private street and alleys. The three shared driveways shall have similar agreements between benefiting property owners.

12. 16.12.120 Street design-Street names.

Response: Proposed street names are as proposed on the Preliminary Layout.

- 13. 16.12.130 Street design-Grades and curves.
- 14. 16.12.140 Street design-Access control.
- 15. 16.12.150 Street design-Pedestrian and bicycle safety.
- 16. 16.12.160 Street design-Alleys.

Response: Roads and alleys shall conform to the city's street design standards and specifications, meeting all requirements of these criteria.

17. 16.12.170 Street design-Transit.

Response: The layout of this project would have pedestrian connectivity (sidewalk connections) towards the bus line on South End Road and the express bus on Central Point Road. The project offers 5-foot to 7-foot wide sidewalks and 15-foot wide pedestrian accessway connection to Central Point Road.

18. 16.12.180 Street design-Planter strips.

Response: Planter strips and street trees are proposed within the Hazelnut Avenue right-of-way. The tree wells will be planted and be a minimum of three feet long by five feet wide (some planted areas extend from driveway to driveway on the east side of Hazelnut Avenue) to ensure proper root growth. The proposed planters will match with a 10-foot wide (seven feet of which would be in landscape easement) landscape area that is proposed to help create a pedestrian friendly greenway beside the street and leading through the developed portion of this project to the new park. The proposed tree well and tree strip plantings feature yarrow, sedum, Oregon grape and others plants in the tree well areas. The 10-foot wide landscape area is proposed with a wide variety of plant materials including native and ornamental shrubs and trees (see the Landscape Plans on Sheets L-1 to L-4).

Private street trees on Jennifer Loop, along three shared driveways and in the two accessways are proposed. These landscape features will be maintained by the homeowner's association.

### 19. 16.12.190 Blocks-Generally.

Response: The layout responds to a careful evaluation of motor vehicle, bicycle and pedestrian circulation needs as they relate to the neighborhood, the proposed housing and new park features of the project. Sidewalks and accessways would provide convenient and shorter bicycle and pedestrian block lengths.

### 20. 16.12.200 Blocks-Length.

Response: The project involves a number of different property owners and will result in the completion of blocks that will improve current block length distances that do not meet the city block length standards (are well in excess of 600 feet between through streets and 1800 feet perimeter blocks). The project provides an opportunity to complete Hazelnut Avenue and shorten walking distances from Central Point Road to Hazel Grove Drive and Vincent Drive to Hazel Grove Drive and Central Point Road. The new connection would shorten a number of block length distances to meet city standards.

Accessways are proposed that will also shorten block lengths to reach the open space and future city park area. Existing build-out along the west boundary of the site limits block length connectivity in that direction. The natural area of the new park also limits connectivity to the west but future park improvements could connect through to Westwood Drive.

### 21. 16.12.210 Blocks-Width.

Response: The proposed project results in two tiers of lots with depths consistent with the type of land use proposed.

### 22. 16.12.220 Blocks-Pedestrian and bicycle access.

Response: Although the project would not result in more than 500 feet of project frontage on Central Point Road without an access point to the new proposed park area, the distance would exceed 500 feet when combined with the neighboring properties to the southwest on this street. For convenience, the applicant proposes two accessways and a private street with public access to shorten the pedestrian and bicycle access distance from Central Point Road to the new park area. The proposed distance would be approximately 300 feet (from the new portion of Hazelnut Avenue to the new accessway). The proposed accessways would be owned and maintained by the homeowner's association. Additional landscaping and fencing along accessways and within private property will also be maintained by the homeowner's association.

### 23. 16.12.230 Building sites.

Response: The use of, size, width, shape and orientation of building sites is consistent with the requirements of the zone and the PUD requirements in the city code.

### 24. 16.12.240 Building site-Frontage width requirement.

Response: In this PUD, all lots either abut the public or private streets with widths greater than 20 feet or have access to those streets via shared driveways that are at least 20 feet wide.

### 25. 16.12.250 Building site-Through lots.

Response: No through lots are proposed.

### 26. 16.12.260 Building site-Lot and parcel side lines.

Response: As far as is practicable, each proposed lot's side lot lines would be at right angles to the street upon which they face, except that on curved streets where they would be radial to the curve.

### 27. 16.12.270 Building site—Solar access.

Response: Given the north-south orientation of existing adjacent development, the north-south orientation of the subject parcels and the north-south orientation for the Hazelnut Avenue extension the proposed lines of lots and parcels, as far as is practical, the applicant has oriented lots to allow structures to be constructed on the lots or parcels to utilize solar energy.

### 28. 16.12.280 Building site-Grading.

Response: Building site grading will be addressed at the time of construction permit submittal. All grading of building sites will conform to the state of Oregon Structural Specialty Code, Chapter 29, Appendix Chapter 70 of the Uniform Building Code. Individual residential lot and overall site grading plans will comply with the requirements of Chapter 15.48 and the Public Works Stormwater and Grading Design Standards, and the erosion control requirements of Chapter 17.47.

### 29. 16.12.290 Building site—Setbacks and building location.

Response: Central Point Road is a minor arterial. Four of five existing homes will be retained on Central Point Road. Five other lots would have street frontage on Central Point Road and maintain the required front yard setback of 20 feet. A single lot at the corner of Hazelnut Avenue and Central Point Road is proposed to have a front yard setback on Hazelnut Avenue. The front yard and driveway access on Hazelnut (a local street) would create a safer location for vehicle, bicycle and pedestrian access as opposed to Central Point Road (the minor arterial). The driveway for this lot would be near the lots northeast property line.

### 30. 16.12.300 Building site-Division of lots.

Response: Tract A which is for park purchase by the City of Oregon City could be further divided into lots. Given the location of this tract division of this property would be enhanced with the public road being built along one edge. It is expected that this area will be purchased by the City's Parks and Recreation Department and preserved in a somewhat natural condition as a component of a new park. No other lots could be redivided.

31. 16.12.310 Building site—Protection of trees.

Response: The Existing Conditions Map shows the location of all trees that are 6 inches or greater in diameter measured four feet from the ground. Many of the trees in Tract A would be preserved with the purchase of this tract for park purposes. The 2.08 acre open space area would have most of the existing trees preserved. The extension of the existing Hazelnut Avenue stub street will require some trees to be removed.

Trees will be saved as indicated on the attached Tree Plan (Sheet 5). The 10-inch birch trees that align near proposed lots 11 and 12 would be removed. These trees are messy (sap and branches) and will be replaced with street trees in the right-of-way and a 10-foot landscape area, seven feet of which will be in easements on the private properties. The proposal includes a landscape plan including many new trees for the private roads and areas around the public streets, Hazelnut Avenue and Central Point Road. All the above mentioned plantings would be maintained by the homeowner's association.

## 32. 16.12.320 Easements.

Response: Utility and access easements are shown on the Preliminary Layout (Sheet 1 of 8). No resource area easements are proposed due to park area dedication and proposed city purchase.

## 33. 16.12.330 Water quality resource areas.

Response: The site contains a city identified water quality resource area. The city mapped resource would be entirely contained within the open space dedication area and city purchase tract that comprise the future city park. The resource identified by the project biologist is the entire length of the drainage ditch that traverses the site. A crossing city street (Hazelnut Avenue), a stormwater pipe and the minor realignment of the drainage swale would be the only encroachments into the resource area. See OCMC Chapter 17.49 in this narrative.

## 16.12.340 Minimum improvements-Procedures.

Response: The applicant will abide by all the procedural requirements listed in this section of the code.

## 34. 16.12.350 Minimum improvements-Public facilities and services.

Response: The applicant will execute a binding agreement to not remonstrate against the formation of a local improvement district for public facilities improvements that benefit their property. The applicant will design the drainage facilities in accordance with city drainage master plan requirements, OCMC Chapter 13.12 and the Public Works Stormwater and Grading Design Standards. The applicant proposes to provide sidewalks on both sides of Hazelnut Avenue and on one side of Central Point Road. A bicycle lane will be installed as part of the Central Point Road improvements.

No oversizing of facilities is expected, but if needed, the applicant expects to be properly reimbursed. The applicant will pay for street name signs and any

Page 32 of 52

MJF Development, Inc. Jennifer Run Planned Unit Development Revised June 10, 2004 necessary traffic control devices. Utilities shall be placed underground per the requirements of this criterion. Street trees and street lights will be installed per the requirements. The applicant will receive city approval for an erosion control plan.

35. 16.12.360 Minimum improvements—Road standards and requirements. Response: The public street improvements will meet the city standards. Private streets are proposed that would meet all requirements for fire and life safety.

36. 16.12.370 Minimum improvements-Timing requirements.

Response: Prior to final plat approval the developer will either construct or provide a city approved financial guarantee for improvements.

## VI. OREGON CITY ZONING ORDINANCE CRITERIA

## A. Chapter 17.08 R-10 SINGLE-FAMILY DWELLING DISTRICT

1. 17.08.010 Designated.

Response: The applicant has proposed a Planned Unit Development that will preserve open space and allow lot sizes that are less than 10,000 square feet.

2. 17.08.020 Permitted uses.

Response: The proposal includes single family units (attached and detached) and open space park (to be a publicly owned park). These are allowed uses in the R-10 zone.

## 3. 17.08.040 Dimensional standards.

Dimensional standards in the R-10 district are:

- A. Minimum lot areas, ten thousand square feet;
- B. Minimum average lot width, seventy-five feet;
- C. Minimum average lot depth, one hundred feet;
- D. Maximum building height, two and one-half stories, not to exceed thirty-five feet;
- E. Minimum required setbacks:
- 1. Front yard, twenty-five feet minimum depth,
- 2. Interior side yard, ten feet minimum width for at least one side yard; eight feet minimum width for the other side yard,
- 3. Corner side yard, twenty feet minimum width,
- 4. Rear yard, twenty feet minimum width,
- 5. Solar balance point, setback and height standards may be modified subject to the provisions of Section 17.54.070.

Response: These standards are addressed in OCMC Chapter 17.64.040.C below.

One setback issue is exclusive of the area included in the PUD. The applicant requests that a condition of approval be crafted to address the proposed street side yard setback for tax lot 306 on assessor's map 3 1E 12D. The PUD would locate the new road within 15 feet of the structure. This would not meet the current corner side yard requirement of 20 feet. Potentially, this requirement would change to 15 feet under code changes that are currently being reviewed in public hearings. The applicant requests the following condition that relates to this situation;

Page 33 of 52

Proposed Condition -

- 1. Prior to final plat approval, the applicant will do one of two things regarding the street side yard setback for the existing home identified as tax lot 306 on assessor's map 3 1E 12D.
  - a. If zoning allows 15-foot setbacks the alignment of Hazelnut Avenue will take place as indicated, or
  - b. If the zoning does not allow a 15-foot street side yard setback the applicant will realign Hazelnut Avenue to accommodate a 20 foot side yard setback. In this case, minor adjustments to lots would be necessary to maintain the opportunity for the city to have a 3.5 acre park.

## Chapter 17.49 WR WATER RESOURCES OVERLAY DISTRICT В.

Summary of Existing Condition and Proposal

The property contains a city identified Water Resource District that involves a portion of a drainage that crosses the property. The drainage is described by the project's biologist as "man-made, an artifact of stormwater discharge from a subdivision upslope of the subject property." The city's maps have identified the resource area as being located near the south boundary (near Westwood Drive). The project's biologist has indicated the entire length of the man-made drainage swale would be part of the resource area. The stream is intermittent and drains an area of less than 100 acres. In addition, the drainage is not an anadramous fish-bearing stream. As a result, a 15-foot buffer has also been added per the requirements of the code, Chapter 17.49.

Attached are a wetland determination and a report addressing the requirements of OCMC Chapter 17.49.050 along with a conceptual mitigation plan. The biologist did not find any wetlands associated with this site. The boundary of the stream to the limits of normal high water was flagged and surveyed. The calculated boundary of a two-year storm event was added to the maps by the project engineer. This comprises the extent of the resource. The 15-foot buffer was added to this area.

The project proposal includes some work within the resource boundary to realign the south end of the drainage due to an existing flooding problem, add a stormwater pipe, and build the extension of Hazelnut Avenue. The existing drainage is a degraded corridor with thickets of invasive Himalayan blackberry overhanging bare ground. The lower portion has pasture grasses. The impacts of the storm drainage pipe and road crossings can be far outweighed by clearing the invasive plant materials and planting native trees and shrubs. The attached report describes a conceptual mitigation plan to accomplish these goals and meet the requirements of Chapter 17.49. Much of the construction of mitigation and upgrades to the drainage swale area would be delayed until park plans are finalized. The plan also describes the

Page 34 of 52

required installation, maintenance and monitoring to better assure that new planting will survive. A contingency management approach is suggested to help lower plant mortality.

The overall plan and park improvements will greatly improve an area that currently has little resource value.

## C. Chapter 17.50 ADMINISTRATION AND PROCEDURES

- 1. 17.50.040 Development review in overlay districts and for erosion control. Response: See Chapter 17.49 above.
- 2. 17.50.050 Preapplication conference and neighborhood meeting.
  Response: The applicant attended a preapplication conference on January 14, 2004. A meeting with the neighborhood association and neighbors took place, March 10, 2004.
- 3. 17.50.060 Application requirements.

Response: The permit application has been initiated the contract purchaser. There are six property owners (eight properties) and each has signed authorization to proceed with this application. See application attached as Appendix 1.

## 4. 17.50.080 Complete application-Required information.

At a minimum, the applicant must submit the following:

- A. One copy of a completed city application form that includes the following information:
- 1. An accurate legal description, tax account number(s), map and location of all properties that are the subject of the application,
- 2. Name, address, telephone number and authorization signature of all record property owners or contract owners, and the name, address and telephone number of the applicant, if different from the property owner(s);
- B. A complete list of the permit approvals sought by the applicant;
- C. A current preliminary title report for the subject property(ies);
- D. A complete and detailed narrative description of the proposed development that describes existing site conditions, existing buildings, public facilities and services, presence of wetlands, steep slopes and other natural features, a discussion of the approval criteria for all permits required for approval of the development proposal that explains how the criteria are or can be met, and any other information indicated by staff at the preapplication conference as being required;
- E. The identity and contact person for the affected city-recognized neighborhood association(s);
- F. Up to twenty-one copies of all reports, plans, site plans and other documents required by the section of this code corresponding to the specific approval(s) sought;
- G. At least one copy of the site plan and all related drawings shall be in a readable/legible eight and one-half by eleven inch format for inclusion into the city's bound record of the application;
- H. Mailing labels for notice to all parties entitled under Section 17.50.090 to receive mailed notice of the application. The applicant shall use the names and addresses of property owners within the notice area indicated on the most recent property tax rolls; I. All required application fees.

Page 35 of 52

Response: Each of the required items is provided either within this narrative or as an attachment to it.

17.50.100 Notice posting requirements.
 Response: The applicant will post the site per the requirements of this section of the code.

## D. Chapter 17.52 OFF-STREET PARKING AND LOADING

Response: The Planned Unit Development will meet the requirement for a minimum of two off-street parking spaces per single-family residence. Additional parking on private streets is indicated on Sheet 7.

## E. Chapter 17.60 VARIANCES

The applicant requests a variance to the lighting standard in Sec. 12.24.040.D, which requires a lighting level of three foot-candles for accessways. The applicant believes that this level of lighting will be intrusive for adjacent properties, even with "no glare" provisions, and out of character with the open space area that are close to the accessways. A reasonable standard would be a lighting level with a maximum of one-foot candle and a minimum of 0.5-foot candle or similar standard recommended by staff along the pedestrian pathway.

Oregon City's Code recognizes that a zoning code cannot provide a "one size fits all" set of requirements and provides that a variance may be granted according to criteria and procedures in Chapter 17.60:

17.60.020 A variance may be granted only in the event that all of the following conditions exist:

A. That the literal application of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the surrounding area under the provisions of this title; or extraordinary circumstances apply to the property which do not apply to other properties in the surrounding area, but are unique to the applicant's site;

Response: The applicant's site wishes to limit glare in the area, similar to properties in the surrounding area. The site also has areas of open space and natural area protection that is unique to this and only a few other developments. The resulting accessway design means that homes will be in close proximity. The accessways will connect to the future private street extension of Jennifer Loop, where there will also be street lights. These circumstances do not affect adjacent properties, and therefore, this criterion is satisfied.

B. That the variance from the requirements is not likely to cause substantial damage to adjacent properties, by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;

Response: The requested variance is likely to minimize any impact on adjacent properties, by limiting the potential for light from this development—even if the appropriate "glare-reducing" measures are added the result would be an intrusion upon the privacy of adjacent residences.

The applicant proposes a sufficient level of lighting to guarantee safety while minimizing effects on adjacent properties. This will include appropriate lighting along the pathway within the open space.

This criterion is satisfied because the requested variance will reduce impacts to adjacent properties.

C. The applicant's circumstances are not self-imposed or merely constitute a monetary hardship or inconvenience. A self-imposed difficulty will be found if the applicant knew or should have known of the restriction at the time the site was purchased;

Response: The circumstances are not self-imposed, but are a consequence of conditions on the site (water resource area) and adjacent development (proposed and existing subdivisions). Therefore, this criterion is satisfied.

D. No practical alternatives have been identified which would accomplish the same purposes and not require a variance;

Response: The applicant is proposing a practical alternative to the code requirement, which requires an extremely high level of lighting appropriate for a retail sales area but not for a residential area. Therefore, this criterion is satisfied.

E. That the variance requested is the minimum variance which would alleviate the hardship;

Response: The applicant does not propose to eliminate the requirement for lighting, only to reduce the level of lighting required while providing a safe level of lighting and, in so doing, minimize impacts on adjacent properties and nearby natural resource area. Therefore, this criterion is satisfied.

F. That the variance conforms to the comprehensive plan and the intent of the ordinance being varied.

Response: The code provision's purpose is to provide for safety and "pedestrian-scale lighting." The applicant believes that the intent of this section is satisfied by a lower level of lighting with less intrusive effects, as previously discussed. Therefore, this criterion is satisfied.

Variance Summary: The foregoing discussion demonstrates that criteria for a variance are satisfied, and should be approved. The applicant has offered an alternative to the standard that will better accomplish the purpose by causing less intrusion into the privacy of adjacent properties and maintaining a level of lighting consistent with the nature and function of the open space and natural resource areas.

#### Chapter 17.64 PLANNED UNIT DEVELOPMENT F.

17.64.010 Purpose. 1.

A planned unit development ("PUD") is a form of residential land development that allows increased flexibility in design standards, dimensional requirements and mixes of land use and structure types. A PUD should allow for a more customized design and development through a process that involves a public hearing before the planning commission at the preliminary plan

stage. The purposes of this chapter are:

A. To promote an arrangement of land uses, lot sizes, lot patterns, housing and development types, buildings, circulation systems, open space and utilities that facilitate the efficient and economic use of land and, in some instances, a more compact, pedestrian-oriented, mixed use urban design Specifically, this can be accomplished through the PUD process with mixed-use developments. The objective of allowing a mix of residential, commercial and office uses is to provide an integrated urban community whereby each of the parts compliments one another to produce a cohesive whole; and

B. To preserve existing natural features and amenities and provide useful common open space available to the residents and users of the proposed PUD. Specifically this can be accomplished through the PUD process by preserving existing natural features and amenities, or by creating new

neighborhood amenities.

C. To protect and enhance public safety on sites with natural or other hazards and development constraints through the clustering of development on those portions of a site that are suitable for development.

D. To provide flexibility for dimensional requirements of underlying zones or overlay districts to better achieve the purposes of a PUD.

Response:

This application meets the purposes of the Planned Unit Development chapter of the zoning ordinance in a number of ways. The proposed project is effective as a PUD as it has a mix of lot sizes and patterns that support the preservation of open space. The property is proposed for uses that include two types of single family housing (attached and unattached) and park use. A portion of this open space will likely be sold to the city for park land and a portion will be given to the city as part of the planned development. The lot design will meet the housing density requirements while making efficient use of utility infrastructure. The housing will be a blend of detached single-family residential homes and attached single family homes on a variety of lot sizes.

The drainage area will be preserved in open space (as part of a city park) through the planned development process. The remainder of the site will have good pedestrian connections (sidewalks, accessways), proper lighting, The project will have somewhat clustered and well-designed streets. development while accommodating a city park. This will promote public safety. The flexible lot dimensions and sizes will result in the city reaching density goals and protecting valuable open space at the same time.

Page 38 of 52

2. 17.64.030 Applicant's option.

A development proposal may be processed as a PUD at the applicant's option, and is offered as an alternative process for residential development; provided, that at least eighty percent of the gross density allowed by the underlying zone is met. If the property bears a PUD overlay designation, the property may be developed only in accordance with this chapter. PUD overlay designations will be legislatively applied by the city to residentially zoned land with natural features, physical characteristics, topography, development constraints, or other unique or special circumstances that warrant preservation or otherwise constrain development of the property.

Response:

The applicant has requested review of this property under the PUD requirements and in accordance with this chapter due to the desire to preserve an open drainage area and city interest in developing a park within the project boundaries. The PUD area would meet 96% of the gross density of the R-10 zone. (10.35 Acres X 4.4 dwelling units to the acre = 45.496 or 45 units, 43 proposed units is 96%)

3. 17.64.040 Permitted uses and basic PUD requirements.

This section provides the uses allowed in a PUD as well as the basic elements required of all PUDs

A. Uses Permitted Outright. Notwithstanding the use provisions of the underlying residential zone, the following uses and their accessory uses are allowed outright as part of the PUD:

1. Detached single-family dwellings and duplexes on individual lots;

2. Attached single-family dwellings and multiple-family dwellings, such as townhouses, condominiums, common wall units and row houses;

3. Public or private parks and playgrounds, community buildings and/or outdoor recreational facilities, such as swimming pools and tennis courts;

4. Indoor recreational facilities, such as racquetball or tennis courts, fitness centers or swimming pools;

5. Common public and private open space;

6. Hiking and/or bicycle riding trails;

7. Accessory structures and uses permitted in the existing underlying zone.

C. Adjustments to Dimensional Standards. All dimensional standards that would otherwise apply to a property or development may be adjusted in the context of a PUD without a separate variance application. In all developments, the perimeter of the development shall meet the underlying zone's setbacks. However, unless an adjustment is specifically requested and explained in the PUD application or recommended by the city, the dimensional standards of the underlying zone will apply. The applicant may request, and the decision maker may approve, adjustments from all dimensional requirements of the underlying zone except that gross density shall not be less than eighty percent of the gross density allowed by the underlying zoning designation. Adjustments from all other dimensional standards may be allowed if the adjustment(s), in the context of the entire PUD and in conjunction with any mitigation, better achieve the purposes and requirements of this chapter than would strict compliance with the dimensional standards of the underlying zone; and if allowing the adjustment(s) does not significantly adversely affect adjacent properties. Adjustments granted pursuant to this section are not subject to the requirements in Chapter 17.60 of this code.

Response:

The project proposal includes detached single family residences, attached single family homes and open space (for a future public park), all allowed uses in the PUD (and in the R-10 zone).

Setbacks at the site's north and south perimeter lots shall exceed the R-10 zoning setback requirements to provide abutting properties with some extra privacy. Specifically, Lots 1-4 and 22-28 would each have at least a 30-foot rear yard setback (Planned Development and R-10 requirement is 20 feet). Lot 21 would meet the R-10 side yard setback requirement along the southwest property line.

The project requests PUD adjustments from the dimensional requirements to result in a neo-traditional emphasis within this development. traditional emphasis in this project highlights pedestrian amenities, friendly front porches, some garages in alleys (not dominating the street and front driveways) and a mix of housing types (both detached and attached housing). The developer will also require that the builders work with specific design guidelines that will further assure a cohesive, quality development. The

following PLID adjustments are requested:

Dimension	R-10	Proposed
	(sq. ft.)	(avg. sq. ft.)
Minimum Lot Area (overall)	10,000	3,561 to 14,599 (sq. ft. range)
Minimum Lot Area (housing type, lot number and average size)*  * Lot areas are approximate as final lot sizes are dependent on final survey information		Attached Housing Lots 13-18,20,38-43 – 4,516 square feet Detached Housing Lots 1-12,19,21-37 – 7,826 square feet

Dimension		Existing R- 10 Standards (feet)	Pending R- 10 Standards (feet)	Lots and dimension (feet)
Average Width	Lot	75 feet	65 feet	Attached Housing Lots 13-18,20,38-43 – 41 feet Detached Housing Lots 1-12,19,21-37 – 66 feet
Average Depth	Lot	100 feet	80 feet	Attached Housing Lots 13-18,20,38-43 – 109 feet Detached Housing Lots 1-12,19,21-37 – 111 feet
Front	Yard	25 feet	20 feet	Option to have all lots to 15 feet*

Dimension	Existing R- 10 Standards (feet)	Pending R- 10 Standards (feet)	Lots and dimension (feet)
Setback			* Reduced setbacks will compliment the mandatory front porches to help create a friendly street frontage on all streets
Interior Side Yard Setback	8 and 10 feet	8 and 10 feet	Attached Housing for Lots 13-18,20,38-43 – 0 and 9 feet Detached Houses Lots 1-12,19,21-37 – 5 and 9 feet
Corner Side Yard Setback	20 feet	15 feet	Attached Housing Lot 20 – 10 feet Lot 38 and 43 – 15 feet (w/sidewalk on lot) Detached Housing Lot 5,10,12,33 – 15 feet, Lot 34,37 – 12 feet
Rear Yard Setback	20 feet	20 feet	Attached Housing Lots 14,15,18,34-43 - 15 feet (18 feet for garage)

## 17.64.040 continued

D. Open Space and Landscaping. The applicant shall provide at least twenty percent of the total gross area as common open space for the recreational needs of the development's residents either on-site or off-site and in close proximity to the development (within one-quarter mile). The open space area may be in private ownership. A portion of the required open space may be used as a buffer between different uses. No less than twenty feet in width shall be used for transitional buffers in addition to the underlying zone setback. The open space shall provide for a mix of passive and active uses. Passive uses include, but are not limited to sitting benches, picnicking, reading, bird watching and natural areas. Active uses include, but are not limited to playgrounds, basketball, baseball, running and walking areas. Land area to be used for the open space area and landscaping that is required in this section shall not include streets, rights-of-way, driveways, parking spaces or public facilities. Unless otherwise allowed, the applicant shall also provide an irrevocable legal mechanism for the maintenance of the open space and any related landscaping and facilities. The applicant shall submit, for city review and approval, all proposed deed restrictions or other legal instruments used to reserve open space and maintenance of open space and any related landscaping and facilities.

## Response:

Approximately 2.08 acres, or 20.1% of the PUD gross area, would be in permanent open space. This area would be dedicated and added to an adjacent 1.42 acres that the city's Parks and Recreation Department indicates will be purchased from the developer to create a new city park. It is anticipated that the park will emphasize passive uses such as benches and

picnic tables due to the natural habitat (forested area and drainage area) with active use being limited to walking trails and a children's play structure.

17.64.040 continued

E. Timely Provision of Public Services and Facilities. As part of the preliminary PUD plan, the applicant shall demonstrate, or provide a suitable guarantee of, adequate capacity in each of the following public services or facilities to serve the proposed PUD:

- 1. Water;
- 2. Sanitary sewer,
- 3. Stormwater management;
- 4. Traffic system and transportation infrastructure, including streets, roads, transit, pedestrian and bicycle facilities;
- 5. Schools; and
- 6 Fire and police services.
- F. If the applicant elects to guarantee that any particular public service or facility will have adequate capacity, the required capacity shall exist prior to issuance of building permits. The decision maker may require the applicant to provide special or oversized sewer or water lines, roads, streets or other service facilities if necessary to meet standards in the city's facility master plans or to allow for the orderly and efficient provision of public facilities and services. If oversizing is required, the applicant may request reimbursement from the city for oversizing based on the city's reimbursement ordinance and fund availability.

Response:

The site is an infill site with utility services currently located in the abutting three neighborhood areas. All utilities are immediately available in these surrounding neighborhood areas. The city has indicated that a loop water system is required for the site. The city has also indicated that there is sewer capacity and availability of sanitary sewer main extension from multiple directions. The stormwater system design will meet all city standards for detention and water quality. The developer offers to construct a repair to an existing drainage system condition at Westwood Drive where flooding occurs. The improvements would involve a realignment of the drainage swale and an improved outfall system in this area.

If oversizing of utilities is required the applicant requests appropriate reimbursement from the city.

A traffic analysis based on city traffic engineer requirements has been prepared. The report evaluates two existing key intersections, Partlow Road at Central Point Road and Warner Parrott Road at Central Point Road. The proposed new intersection of Hazelnut Avenue at Central Point Road is also evaluated. The report looks at existing safety information, capacity, access spacing at the site, and sight distance at the site. The report finds no significant delays or safety issues associated with developing the site. The existing Central Point Road and Warner Parrott Road does have a high leftturning movement delay from Central Point Road. Significant added traffic in this location is not expected as site traffic is expected to use alternative routes versus using this delayed turning location. The city lists this

intersection in the Transportation System Plan for upgrade. The report finds that all intersections would function at acceptable standards.

The applicant has discussed school capacity with the Oregon City School District. Ken Rezac, Business Manager for the District indicates that there is school capacity available for this added housing. The elementary school (not the middle or high school) may require a boundary change as this property is within 1000 feet of the school. The district prefers to match properties that are close by to particular schools. Mr. Rezac indicates that if a boundary change is necessary that this is not a negative. The school district uses boundary adjustments as a tool to using some of their under capacity schools rather than adding and subtracting modular classrooms. Gardiner Middle and Oregon City High School have existing capacity. Another factor is the proposed attached housing (13 of 43 units) that may house more "empty nesters" than those in need of schools.

Both fire and police services are anticipated to safely cover this project and the surrounding neighborhoods.

#### 17.64.040 continued

G. Relationship to the Natural and Physical Environment. Streets, buildings and other site elements shall be designed and located to preserve the maximum number of significant trees (i.e., those trees six inches or greater in diameter, measured four feet from the ground), significant natural resources, jurisdictional wetlands, and natural (i.e., natural features). These natural features shall not be disturbed after submittal of a complete land use application for as long as the application is active or until public infrastructure construction is approved and accepted by the city engineer. An exception to this ban on disturbing natural features is allowed if planned disturbances are included in the city-approved construction plans or if the Corps of Engineers or the Oregon Division of State Lands issues a permit that affects natural features. Development shall be designed, constructed and maintained in accordance with the unstable soils and hillside constraint overlay district and the water quality resources areas overlay district where applicable.

#### Response:

This application includes a tree plan that indicates trees to be saved and removed. The developer will save quality trees where possible and practical in the development areas (see the Tree Plan). The extension of Hazelnut Avenue is fixed due to the existing stub street location. No matter what alignment is proposed for this street, a swath of trees must be removed. All trees to be preserved that are in the close vicinity of proposed improvements shall be protected from construction activities.

The drainage swale on the site originates from man-made development and has developed due to an upstream subdivision. No wetlands have formed in the drainage swale. Irregardless, the swale, the 2-year flood area and a 15-foot buffer will be protected within the open space area. Due to an existing flooding problem, the eastern-most portion of the swale will be realigned and designed to function with the off-site stormwater collection system. The

Page 43 of 52

improvements will meet the city's Water Quality Resource District standards. The realigned swale will be re-vegetated per WQRD standards. The applicant will contribute towards the remainder of the resource improvements but the improvements themselves will be completed with the city park upgrades.

H. Mixed-use. To ensure development within a PUD contains the correct blend of mixed uses, no more than eighty percent, but at least fifty percent, of the total net developable area shall consist of single-family residential development. Twenty percent of the net developable area shall consist of residential uses other than single family dwellings. If the subject property is ten acres or more, it may contain neighborhood commercial uses. If common wall units are proposed, a minimum of thirteen thousand square feet is required for up to, but not more than four common wall units, and a minimum of seven thousand square feet is required for every two common wall units. In no cases, shall a detached single-family residential lot be smaller than five thousand square feet.

Response:

The net developable area of this site is 293,478 square feet (or 6.74 acres). The detached single-family development would comprise 234,767 square feet, or 80% of the net developable area. This figure meets the fifty to eighty percent single family requirement. The city code defines a single family dwelling as a detached single family home. The attached single-family development would comprise 58,711 square feet, or 20% of the net developable area. This meets the minimum 20% other than single family requirement.

The common-wall homes meet the PUD requirements as follows:

Туре	Area Needed (Sq. Feet)	Proposed (Sq. Feet)
Two Units with Common Walls	7,000 square feet	Attached Housing Lots 13/16 - 9,213 Lots 14/15 - 7,586 Lots 15/16 - 7,587 Lots 17/20 - 12,007 Lots 38/39 - 8,857 Lots 40/41 - 8,164 Lots 41/42 - 8,858

## 4. 17.64.050 Density bonuses.

The decision-maker may exercise its discretion and grant a residential density bonus resulting in a maximum of up to one hundred fifteen percent of the gross density allowed by the underlying zone. In general, consideration of density bonuses may be given for housing design, historical preservation, preservation of natural features, tree preservation, additional open space and community amenities.

Specifically, allowance for density bonuses shall be considered for the following uses:

	Mixed Use	Multi-Family Use	Commercial
	Residential	,	Use
1	1 (CSIGCI IIIGI	1	·

	(Owner Occupied)		
Under 10 acres	5%	5%	N/A
Over 10 acres	5%	5%	5%

Note: Density bonuses are calculated based on the gross density allowed by the underlying zone.

## Response:

No density bonuses are required with this application.

## 5. 17.64.060 Initiation of a PUD-Review process.

A. Prior to submitting a PUD application for a PUD permit, the applicant shall schedule and attend a preapplication conference as provided in Section 17.50.050.

B. The city shall provide the opportunity for concurrent processing of the PUD and any other related permits, land use and limited land use approvals required for development of the subject property.

C. The review process for PUD is set forth in detail in the sections of this chapter. In general, the process involves three stages:

1. A preapplication conference;

2. A preliminary PUD plan, reviewed through a Type III process, including a public hearing before the planning commission with a right to appeal to the city commission based on the record;

3. A final PUD plan, consisting of a plan that conforms to the preliminary plan, and all conditions and requirements imposed by the planning commission during the preliminary plan approval process. The final PUD plan receives a Type I administrative review without a hearing so long as there are no material deviations from the approved preliminary PUD plan.

Response: A preapplication conference was held on January 14, 2004. The applicant is requesting concurrent approval of a PUD application, a lighting variance and a water quality resource district determination.

## 6. 17.64.070 Preapplication conference.

Before the city accepts an application for preliminary PUD plan approval, the applicant must attend a preapplication conference with the planning manager pursuant to Section 17.50.030, and pay the required fee. The planning manager will ensure that all affected city departments are represented at the preapplication conference. The purpose of the preapplication conference is to allow the applicant to explain in as much detail as possible, the development proposal, and to obtain comments and guidance from city staff sufficient to guide the applicant's preparation of the preliminary PUD plan.

Response: A preapplication conference was held on January 14, 2004. The city authored Pre-Application Conference Summary is attached as Appendix 2.

## 7. 17.64.080 Preliminary PUD plan application.

A. At any time following a preapplication conference, an applicant may apply for preliminary PUD plan approval. The applicant's submission must provide a complete description of existing conditions, the proposed PUD and an explanation of how the application meets all applicable approval standards. The following sections describe the

specific submission requirements for a preliminary PUD plan, which include plan drawings, a narrative statement and certain tabular information.

B. The city's review and decision making process for preliminary PUD plans is described in the sections that follow and basically involves a staff completeness check of the applicant's submission. Once the application is deemed to be complete enough to begin processing, staff reviews the application and prepares a staff report. The planning commission will hold a public hearing at which the application is reviewed, and the planning commission renders a decision on the application, either a denial or an approval with conditions. The final PUD plan must comply with all conditions of preliminary PUD plan approval.

Response: This application narrative and the attached plans include the required items listed in this criterion.

## 17.64.090 Preliminary PUD plan-Required plans.

The preliminary PUD plan shall specifically and clearly show the following features and information on the maps, drawings, application form or attachments unless deemed unnecessary by the planning manager. All maps and site drawings shall be at a minimum scale of one inch to fifty feet.

A. Site Plan. A detailed site development plan showing the location and dimensions of lots, streets, walkways, common areas, building envelopes and setbacks, all existing and proposed utilities and improvements including sanitary sewer, storm sewer and water facilities, and an indication of existing and proposed land uses for the site.

B. Traffic/Transportation Plan. The applicant's traffic/transportation information shall include two elements:

1. A detailed site circulation plan showing proposed vehicular, bicycle and pedestrian access points and circulation patterns, parking and loading areas and any other transportation facilities in relation to the features illustrated on the site plan; and 2. A traffic impact study prepared by a qualified professional engineer, that assesses the

traffic impacts of the proposed development on the existing transportation system and analyses the adequacy of the proposed internal transportation network to handle the anticipated traffic and the adequacy of the existing system to accommodate the traffic

from the proposed development.

- C. Natural Features Plan. The applicant shall submit a map illustrating all of the natural features and hazards on the subject property and within two hundred fifty feet of the property's boundary. Features that must be illustrated shall include the following: proposed and existing street rights-of way and all other transportation facilities, all proposed lots and tracts, all trees with a width six inches or greater in diameter, measured four feet from the ground, all jurisdictional wetlands (according to the Corps of Engineers Wetlands Delineation Manual, January 1987 edition), all known geologic hazards, landslides or faults, areas with a water table within one foot of the surface, the location of any state or federal threatened or endangered species, all historic areas or cultural features acknowledged as such on any federal, state or city inventory, all wildlife habitat or other natural features listed on any of the city's official inventories.
- D. Topography, Preliminary Grading and Drainage Plan. The applicant shall submit a plan illustrating the topography and grade of the site before and after development and show contours at maximum five-foot vertical elevation intervals for steep locations, greater than twenty percent, and maximum two-foot vertical elevation intervals for other location. Illustrated features must include the approximate grades and radius of curves of all proposed streets and cul-de-sacs, the location and calculated volume of all cuts and fills, and all storm water management features. The plan shall identify the location of drainage patterns and courses on the site and within two hundred fifty feet of the property boundaries.

E. Erosion Control Plan. The applicant shall submit an erosion control plan illustrating the measures that will be implemented throughout construction of the PUP to control erosion Page 46 of 52 and sedimentation. This plan must be consistent with all applicable erosion control requirements in Chapter 17.47.

F. Vicinity Map. The applicant shall submit a vicinity map showing the relationship of the subject property to significant features within two hundred fifty feet of the site, such as the existing street network, utilities, topography, and natural features.

Response: This application includes the following plan sheets; Preliminary Layout (1 of 8), Existing Conditions (2 of 8), Utility Plan (3 of 8), Grading and Erosion Control (4 of 8), Tree Plan (5 of 8), Planned Unit Development Plan (6 of 8), Setback and Parking Plan (7 of 8), Surrounding Neighborhood (8 of 8), Landscape Plan (Sheet L-1), Landscape Plan (Sheet L-2), Landscape Plan (Sheet L-3), Landscape Plan (Sheet L-4). All requirements listed in this criterion are addressed on these plan sheets.

## 9. 17.64.100 Preliminary PUD plan-Narrative statement.

In addition to the plans required in Section 17.64.090, the applicant shall also prepare and submit a narrative statement that addresses the following issues:

A. PUD Description. A detailed description of the proposed development, including a description of any phasing, proposed uses, number and type of residential units, nonresidential uses, allocation and ownership of all lots, tracts, streets and public improvements, the structure of any home owner's association, and each instance where the proposed PUD will vary from some dimensional or other requirement of the underlying zoning district.

B. Timely Provision of Public Services and Facilities. The applicant shall explain in detail how and when each of the following public services or facilities will be adequate to serve the proposed development by the time construction begins:

- 1. Water;
- Sanitary sewer;
- 3. Storm sewer and storm water detention and drainage facilities;
- 4. Traffic system and transportation infrastructure, including streets, roads, transit, pedestrian and bicycle facilities;
- 5. Schools; and
- 6. Fire and policy services.

Where adequate capacity for any of these public facilities and services is not demonstrated to be currently available, the applicant shall describe how adequate capacity in these services and facilities will be financed and constructed before the issuance of building permits. This description may include a provision for oversizing of any of these public facilities and services and a proposal for a mechanism to reimburse, or provide system development charge (SDC) credit to, the applicant for the cost of oversizing.

- C. Approval Criteria and Justification for Adjustments. The applicant shall explain how the proposed PUD is consistent with the Oregon City comprehensive plan, and purposes and requirements of this chapter set forth in Sections 17.64.010 and 17.64.040. For each of the instances where the applicant proposes an adjustment from some applicable dimensional or other requirement of an underlying or overlay zoning district, the applicant shall explain in detail the need for the adjustment and how the adjustment advances or better achieves the purposes and requirements of this chapter, than would compliance with the dimensional or other requirements.
- D. Geologic Hazards. For property subject to Chapter 17.44, the applicant shall submit a report prepared by a qualified professional engineer, certified in geology or geotechnical engineering, describing how the proposed PUD is feasible and meets the applicable requirements of Chapter 17.44.
- E. Water Quality Resources Areas Overlay District. For property subject to Chapter 17.49, the applicant shall submit a report prepared by a qualified professional describing

Page 47 of 52

the location and quality of any water resource subject to regulation under Chapter 17.49. This report shall also explain in detail how the proposed PUD is feasible and meets the applicable requirements of Chapter 17.49.

F. Historic, Archeological, Geological and Scenic Resources and Significant Trees. The applicant shall submit a report, prepared by a qualified professional, regarding any known historic, archeological, geological, or scenic resources on the site as well as any trees with a diameter six inches or greater measured four feet from the ground.

G. Covenants, Conditions and Restrictions (CC&Rs). The applicant shall submit drafts of the proposed covenants, conditions and restrictions, maintenance agreements, property owners' association agreements, dedications, deeds, easements, or reservations of public open spaces not dedicated to the city, and related documents for the PUD.

Response: See Existing Conditions – Site at the beginning of this narrative. The proposal involves all or portions of eight properties located on Central Point Road. The gross site area is 12.01 acres. The PUD gross area of 10.35 acres excludes a total of 1.42 acres for park purchase and .25 acres would become right-of-way. The PUD area provides an additional 2.08 acres that would be dedicated as open space and likely combined with the 1.42 acre park purchase area to create a new park property. The remaining 8.27 acres is proposed as public right-of-way, private streets, accessways and 43 lots. The lots totaling 6.74 acres are comprised of 30 detached single family homes and 13 attached single family homes (5 two-family structures and 1 three-family structure). All 43 units would have separate ownership. The anticipated construction phasing is explained in 17.64.110 below.

A homeowner's association would maintain the pedestrian accessways, the private street, private alleys, shared driveways with sidewalks, private utilities, lighting and the associated landscaping of these areas. Portions of some private lots to be located on Central Point Road and Hazelnut Avenue will have extra landscaping and fencing that would be maintained by the individual homeowner. These areas would be in landscape easements so that the homeowner's association would have ultimate responsibility for maintenance, if a homeowner fails to maintain a segment of landscaping. See the attached plan sheets for ownership and easement information. Variation from underlying zone dimensions and setback requirements are explained in 17.64.040, above.

The applicant offers evergreen buffers (in addition to larger than standard setbacks) on the perimeter of lots 1-4 and 21-28. These areas would be maintained by the individual homeowners with the Homeowner's Association retaining the ultimate responsibility for maintenance. Each individual lot would grant rights for the homeowner's association to enter a lot to provide maintenance.

The applicant requests the following conditions:

1. Prior to occupancy or the first November whichever comes first, the applicant shall install the City approved buffering plan behind lots 1-4 and 21-28. In addition, the applicant shall record conservation and

preservation easements that protect each of these landscaped areas. This document shall specifically prohibit the removal of any of the landscaping unless such material has been found to be dead or diseased and in danger of dying, or presents a hazard to a property. If the landscaping is removed for any reason, the property owner shall replace the landscaping with similar materials to those originally planted.

2. Lots 1, 10, 11, 12, 14, 15, 18, 19, 21, and 32-37 will have landscape areas that complement the project's right-of-way enhancements. Lots 19, 22, 28 and 29 will have landscape areas that complement the project's accessway enhancements. The applicant shall record conservation and preservation easements that provide the homeowner's association with the right to maintain each of these areas if the individual property owner fails to do so. This document shall specifically prohibit the removal of any of the landscaping unless such material has been found to be dead or diseased and in danger of dying, or presents a hazard to a property. It the landscaping is removed for any reason, the property owner shall replace the landscaping with similar materials from the Oregon City Native Plant and Tree List.

The timely provision of public services and facilities is addressed in OCMC 17.64.040, above.

This narrative addresses how the PUD is consistent with goals in the existing (and proposed) Comprehensive Plan.

Attached is a geotechnical report, a water quality resource report and a traffic impact study that explain how the project is feasible and meets the applicable requirements of the Oregon City Zoning Code. OCMC Chapter 17.44 does not apply as landslide areas, hillsides and unstable slopes do not apply to this site. The geotechnical report was provided due to potential subsurface groundwater conditions. All recommendations by the geotechnical expert shall be incorporated into the construction associated with this site. Similarly, all construction related recommendations of the water quality resource report and traffic impact study will be incorporated.

Proposed Covenants, Conditions and Restrictions have been attached to this application (See Appendix 4)

10. 17.64.110 Preliminary PUD plan-Tabular information.

In addition to the plans required in Section 17.64.100, the applicant shall also prepare and submit one or several tables that set forth the following information in an understandable format, including explanations where needed:

A. Gross area and net developable area, acreage distribution by use, percentage of acreage designated for each dwelling type and for nonresidential uses such as streets, off-street parking, parks, open space and playgrounds;

- B. A description of any proposed phasing, including for each phase the timing, acreage, number of residential units, amount of area for nonresidential use, open space, development of utilities and public facilities;
- C. Gross density and net density of the PUD and, where different types of residential units are proposed, the density by dwelling type;
- D. Amount of impervious surface in hillsides and unstable slopes subject to regulation by Chapter 17.44.

## Response:

## Measured Areas Table

Area	Acreage	Percentage of Site
Overall Gross Area	12.01 Acres*	100%
Tract A (anticipated Park Purchase)	1.42 Acres	12%
Tract B (future Roadway Dedication)	.25 Acres	2%
PUD Gross Area	10.35 Acres	86%
Open Space (anticipated for dedication)	2.08 Acres	17%
Jennifer Loop (Private Street) and the remainder of the Hazelnut Avenue dedication	1.52 Acres	13%
Net Developable Area	6.74 Acres	56%
Single Family Detached Area	5.39 Acres	45%
Single Family Attached Area	1.35 Acres	11%

<sup>\*</sup> Does Not Include Area Removed with Conditioned Lot Line Adjustments = .09 Acres (area would not be part of final plat)

Phasing Schedule Table

Phase	Timing		Area
One (All improvements to be built at one time with lots to be sold as the market will bear)		<del></del>	All development approved through this PUD

It is anticipated that the open space dedication would take place at the time of Phase 1 final plat recordation. Construction of Hazelnut Avenue and other public improvements would take place with the construction of Phase 1. The reconstruction of the west portion of the drainage swale is expected to coincide with Phase 1 construction but is dependent on permit approvals. The timing of the sale of Tract A is pending preliminary PUD approval and the final agreement between the applicant and the city. If the sale does not occur this land could be subdivided later on.

**Density Table** 

Donotty 14210	
Area	Density
Gross PUD Site	4.16 DU/Gross Acre
Net Site (based on net developable area)	6.38 DU/Net Acre

Area	Density
Attached Housing Area	9.64 DU/Net Acre
Detached Housing Area	5.56 DU/Net Acre

The net acre does not include open space, park area, rights-of-way, private roads or accessways. The attached housing area is also exclusive of the detached housing area and vice versa.

OCMC Chapter 17.44 does not apply as landslide areas, hillsides and unstable slopes do not apply to this site.

## 11. 17.64.120 Preliminary PUD plan approval criteria.

The decision maker shall approve an application for preliminary PUD plan if the following criteria are met:

A. The proposed preliminary PUD plan is consistent with the purposes and requirements of this chapter set forth in Sections 17.64.010 and 17.64.040, and any applicable goals or policies of the Oregon City comprehensive plan;

B. The proposed preliminary PUD plan meets the applicable requirements of the underlying zoning district, any applicable overlay zone, such as Chapters 17.44 or 17.49, and applicable provisions of Title 16 of this code, unless an adjustment from any of these requirements is specifically allowed pursuant to this chapter;

C. Any phasing schedule proposed by the application must be reasonable and shall not exceed five years between approval of the final PUD plan and the filing of the final plat for the last phase. Dedication or preservation of open space or natural features, in a form approved by the city, must be recorded prior to the issuance of building permit(s) for existing tax lots of the first phase of any multi-phase PUD;

D. The applicant has demonstrated that all public services and facilities have adequate capacity to serve the proposed development, or adequate capacity is assured to be available concurrent with development;

E. All adjustments from any applicable dimensional requirement requested by the applicant or recommended by the city are justified, or are necessary to advance or achieve the purposes and requirements of this chapter better than would compliance with the dimensional requirements of the underlying zoning.

## Response:

See explanations for same criteria in 17.64.100 above.

## 12. 17.64.140 Design review.

PUDs shall comply with the site plan and design review requirements in Chapter 17.62 of this title. Single-family detached homes are exempt from this requirement. An applicant may seek concurrent review of the preliminary PUD plan and design review, in which case the applicant shall submit a landscaping plan, architectural drawings and a materials board as provided in Section 17.62.040(B)—(D) in addition to the submittal requirements for the preliminary PUD plan.

Response: This application does not seek concurrent design review.

## VII. CONCLUSION

The applicant believes that the proposed project would accomplish the overriding goals of protecting valuable open space while meeting housing density requirements. In addition, the applicant has included self-imposed design standards to help develop an area that the City of Oregon City will be proud of. Based upon compliance with the Comprehensive Plan goals (both existing and pending), meeting the criteria for the lighting variance and all requirements in the zoning code (including the requirements of the Planned Unit Development and Water Quality Resource District overlay portions of the code) the applicant requests Preliminary Plat, lighting variance and water quality resource district approvals with agreed conditions of approval.

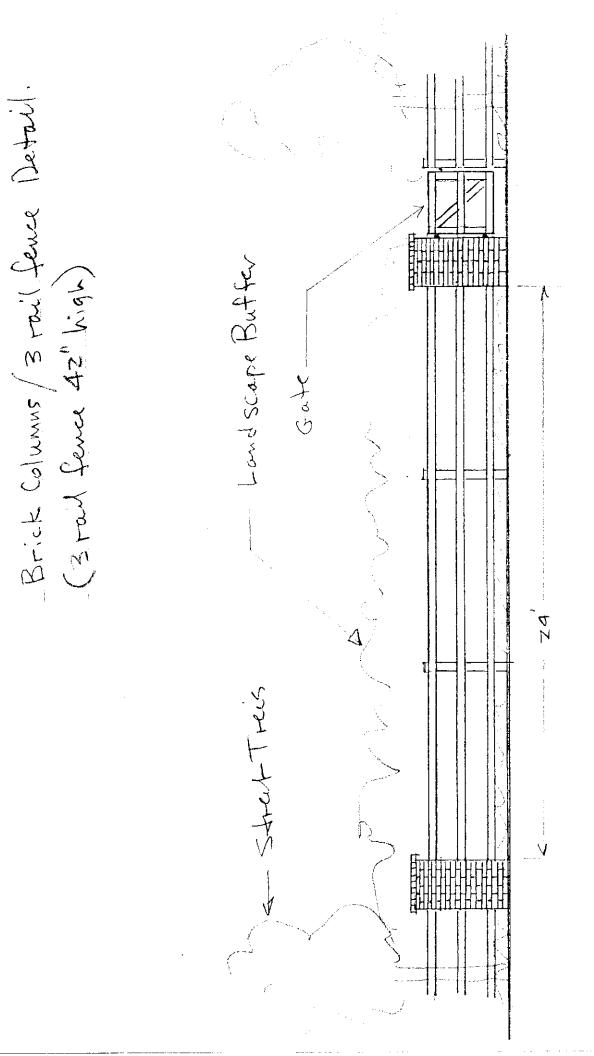
CentralPointPUDNarZZ.doc

## SKETCHES OF PROPOSED

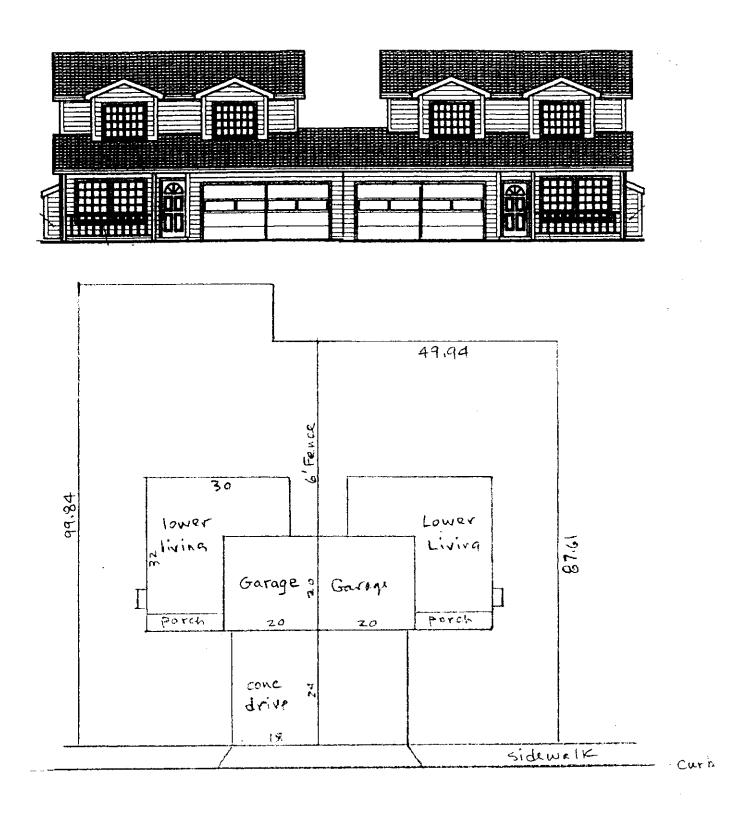
# LANDSCAPE FENCE & ATTACHED HOMES

FOR

# JENNIFER RUN

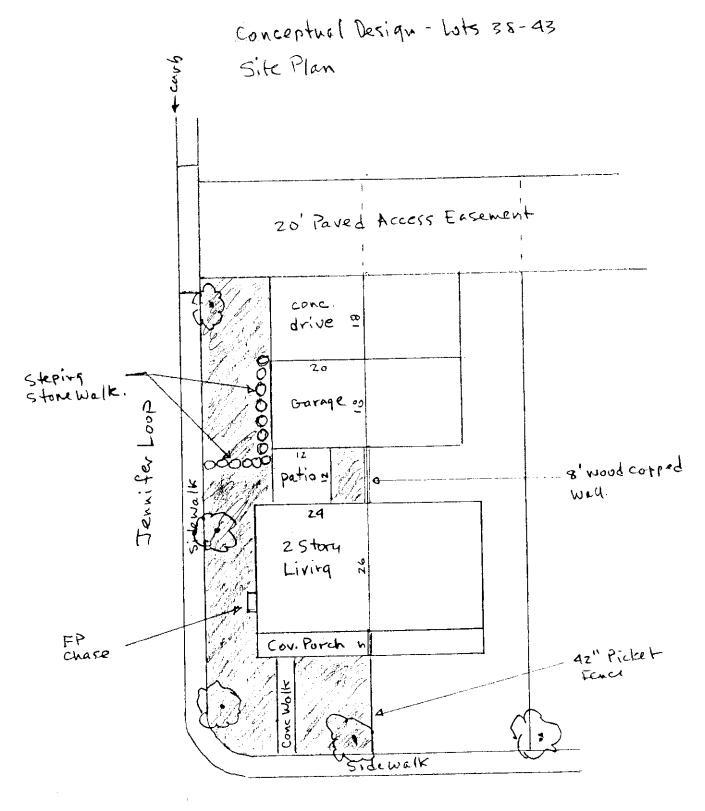


# \_Conceptual Design - Luts 13,16,17,20 Front Elevation + Site Plan



Jennifer Loop

1"=20



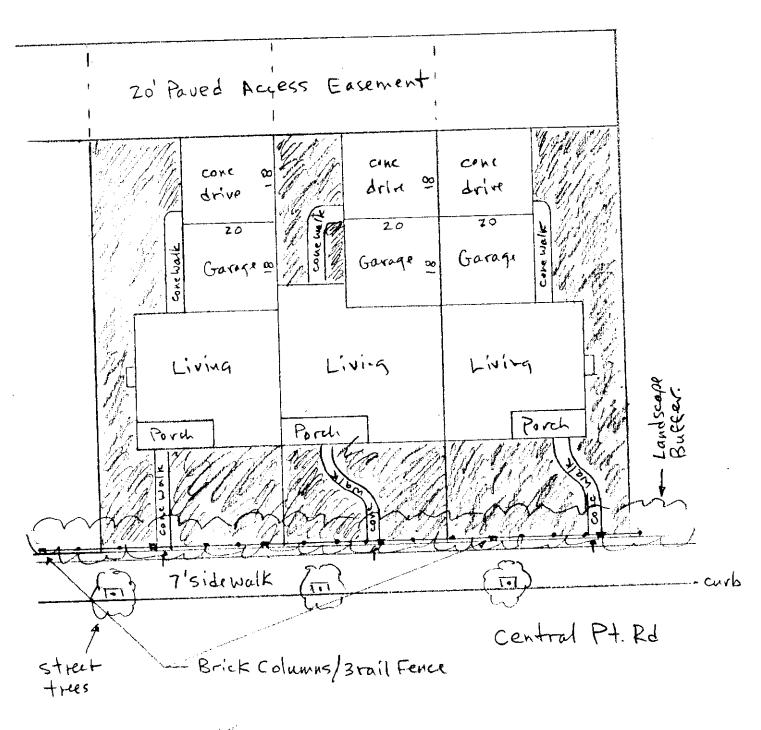
Jennifer Loop

Apress = londscape

Conseptual Design - Lots 38-43 Front Elevation



conceptual Design Lots 14,15,18
Site Plan



(15, a reas

11 = 20



## JENNIFER RUN TRAFFIC IMPACT STUDY

OREGON CITY, OREGON

# PREPARED BY LANCASTER ENGINEERING

April 2004

Exhibit 4



## EXECUTIVE SUMMARY

- 1. A site is proposed to be developed with a Planned-Unit Development consisting of 30 single-family detached homes and 13 single-family attached homes. The site is located on the northwest side of Central Point Road between White Lane and Skellenger Way in Oregon City, Oregon. Access to the site will be through two existing streets, Vincent Drive and Hazelnut Drive and one new street connecting to Central Point Road. There is an existing road stub, Westwood Drive, however this road will not provide access to the homes on the site.
- 2. Development of the PUD will generate about 32 trips during the morning peak hour and 43 trips during the evening peak hour, with about 412 trips during an average weekday.
- 3. The crash rates at the study intersections were less than one crash per million entering vehicles. No safety deficiencies are identified at the study intersections.
- 4. The intersection of Warner Parrott Road and Central Point Road is currently operating at level of service F for the minor-street left-turning movement during the evening peak hour. However, the level of service for all other movements is B or better and the v/c ratio is 0.28 even with site development, which indicates the intersection has available capacity for additional vehicles.
- 5. The intersections of Central Point Road at Partlow Road and Central Point Road at the proposed site access are currently operating within acceptable level of service standards and will continue to operate satisfactorily with site development.
- 6. With the removal of the on-site trees at the proposed location of the site access road to Central Point Road, sight distance will be adequate in both directions.



## Real-World Geotechnical Solutions Investigation • Design • Construction Support

March 14, 2004

Project No. 04-8658

MJF Development 1616 SE Reedway Street Portland, Oregon 97202

Fax (503) 246-4875

Subject: Geotechnical Engineering Report

Central Point Road Subdivision

Oregon City, Oregon

This report presents the results of a geotechnical engineering study conducted by GeoPacific Engineering, Inc. (GeoPacific) for the above referenced project. The purpose of our investigation was to evaluate subsurface conditions at the site and to provide geotechnical recommendations for site grading, foundation design, and construction. This geotechnical study was performed in general accordance with GeoPacific proposal No. P-2023, dated February 17, 2004.

## **BACKGROUND INFORMATION**

#### Project Information

Location:

North side of Central Point Road in Oregon City, Oregon (see Figure 1).

Developer:

**MJF** Development

Engineer:

Sisul Engineering

Jurisdictional

Oregon City, Oregon

Agency:

## SITE DESCRIPTION AND PROPOSED DEVELOPMENT

The subject property consists of approximately 8 ½ acres, located south of Leland Road in Oregon City, Oregon (Figure 1). The south portion of the site is currently developed with four single-family homes and associated outbuildings, the remaining portions of the site are undeveloped and covered with grass, brush and trees. The topography of the site is nearly level with a gentle slope down to the northwest, with elevations ranging between about 434 and 450 feet.

The proposed development includes 32 single-family home sites, 3 multi-family sites and associated improvements, including about 1,750 lineal feet of new streets. No detailed plans are currently available, however, we assume that proposed grading will be relatively minor, with cuts and fills assumed to be on the order of 2 to 5 feet maximum and fill up to about 2 feet high. Utilities are assumed at depths of less than 10 feet.

Exhibit 5

## **PROPOSED**

## JENNIFER RUN

## **DESIGN GUIDELINES**

(Revised 06/28/04)

#### PORCHES

All houses shall have a covered front porch with architecturally appealing railing.

Minimum depth @ 5 Ft.

Minimum square footage @ 80 Sq. Ft.

Lot 12 shall have a wrap around porch, with a minimum of 8 feet width fronting Hazelnut Ave.

## BRICK/STONE

All lots with front load garages shall have a minimum of 10% of front façade in brick or stone, which will include a minimum of 36" height on both sides of garage doors.

Lots with rear load garages shall have a minimum of 8% of the front façade in brick or stone.

## GARAGE DOORS

All new houses will have a 2 car garage with either 2-8 wide garage doors, or a 16 foot wide door with a centered vertical design feature that makes the 16 foot door look like 2 doors. The doors will have windows in the top panels.

Rear load garage doors shall have no design conditions. Front load garages shall have a minimum of a 20'x20' driveway. Rear load garage shall have a minimum of 18' deep x 20' wide driveway. All new homes will thereby have 2-car parking in garages and 2 car parking in driveway.

## SIDING

All exterior walls shall have horizontal siding, wood shake siding, or equivalent.

#### **ROOFS**

All roofs will have a minimum of 6/12 pitch with "Architectural" style roofing (30 year minimum).

## REPLICATION

Replication of any one plan (or front façade) shall occur no more frequently than every fourth house in a row. Siting two identical houses across the street from one another is prohibited. The intent of this rule is to minimize repetition, and encourage construction of many characteristically similar, yet distinctively unique homes within the subdivision. Non-replication can be accomplished by modifying the exterior look of two identical houses with a few design changes such as:

Exterior paint colors, shingles vs. horizontal siding on a portion of the exterior siding, changes in window sizes, shutters next to some windows, different brick/stone treatments, window pop-out etc.,

## **LANDSCAPING**

Front yard landscaping shall be completed within 60 days of occupancy, full yard within 120 days. Minimum landscaping standards will be designed for homeowner to comply with. (Minimum lawn areas, number of trees, shrubs, etc.)

#### TIMING

All fences and walkways along Central Point Road, the southwest side of Hazelnut Ave and in pedestrian pathways will be constructed prior to the issuance of the first occupancy permit of a new home within the development.

Landscaping along Central Point Road and the southwest side of Hazelnut Ave. and the pedestrian pathway will be planted the first October/November (the beginning of the wet season) time frame once infrastructure improvements for the development have been completed. The perimeter evergreen buffer (with cedar fencing) will also be completed during the first wet season.

## **MAINTENANCE**

See pages 49 and 50 of P.U.D. Application narrative.

After Recording Return To: Rebecca Biermann Tom Ball Janik LLP 101 SW Main St., Suite 1100 Portland, OR 97204-3219

## AMENDED AND RESTATED DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR LELAND RUN

THIS AMENDED AND RESTATED DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS AND RESTRICTIONS FOR LELAND RUN (this
"Declaration") is made and entered into effective this day of, 2002, by M.J.F.
Development, Inc., an Oregon corporation ("Declarant"). Declarant desires to create a Class II
planned community known as Leland Run. The community shall be subject to ORS 94.550 to
94.783, with the exception of ORS 94.595 and 94.604.

## **RECITALS:**

- A. Declarant previously executed a Declaration of Protective Covenants, Conditions and Restrictions for Leland Run, dated January 15, 2002 and recorded on February 26, 2002 in the Official Records of Clackamas County, Oregon as Document No. 2002-018606 (the "Original Declaration").
- B. Declarant desires to amend and restate the Original Declaration on the terms and conditions contained in this Declaration.

## 1. <u>DEFINITIONS</u>

The following terms shall have the following meanings when used in this Declaration:

- 1.1 <u>Articles</u>. "Articles" shall mean the Articles of Incorporation of the Association, as amended from time to time.
- 1.2 <u>Assessment</u>: "Assessment" shall mean any assessment levied against one or more Owners by the Association for payment of expenses relating to the Property and shall include Regular, Special, and Limited Assessments as those terms are defined herein.
- 1.3 <u>Association</u>. "Association" shall mean the nonprofit corporation formed or to be formed to serve as the association of Owners as provided in this Declaration and such corporation's successors and assigns.
- 1.4 Board. "Board" shall mean the duly-elected Board of Directors of the Association.

- 1.5 <u>Bylaws</u>. "Bylaws" shall mean the Bylaws of the Association, as amended from time to time. The Bylaws shall be adopted pursuant to ORS 94.625 and recorded in the Deed Records of Clackamas County, Oregon.
- 1.6 <u>Common Area</u>. "Common Area" shall mean those portions of the Property designated as Tracts B and C in the final plat of Leland Run (the "Plat"), and legally described on the attached Exhibit B.
- 1.7 <u>Declarant</u>. "Declarant" shall mean M.J.F. Development, Inc., an Oregon corporation, and its successors and assigns if such successor or assign should acquire: (i) Declarant's interest in the Property or (ii) all of Declarant's rights under the Declaration pursuant to a recorded instrument executed by Declarant.
- 1.8 <u>Limited Assessment</u>. "Limited Assessment" shall mean an assessment levied against an Owner by the Association for costs and expenses incurred by the Association for corrective action performed pursuant to this Declaration that is required as a result of the willful or negligent actions or omissions of such Owner or such Owner's tenants, guests, contractors, or invitees. "Limited Assessment" also includes assessments for a common expense or any part of a common expense that benefits fewer than all the Lots.
- 1.9 <u>Lot</u>. "Lot" shall mean a platted or partitioned lot or tract within the Property, with the exception of any tract or lot designated on the Plat of any portion of the Property as Common Area. Each Lot shall constitute a private area for the exclusive use and enjoyment of the Owner of such Lot.
- 1.10 Owner. "Owner" shall mean any person or entity, including the Declarant, at any time owning a Lot, including any vendee under a recorded land sale contract to whom possession has passed, but does not include a tenant or holder of a leasehold interest or a person holding only a security interest in a Lot, including any vendor under a recorded land sale contract who has surrendered possession.
- 1.11 <u>Property</u>. "Property" shall mean the real property located in Clackamas County, Oregon and legally described on the attached Exhibit A. The name of the planned community located on the Property is Leland Run. There are 28 Lots in the Property, in addition to certain tracts, as depicted on the Plat. Tracts A, D and E as depicted on the Plat, are not included in the Property and are not subject to this Declaration.
- 1.12 <u>Regular Assessment</u>. "Regular Assessment" shall mean an assessment by the Association against all Owners to provide for the payment of all estimated normal expenses of the Association for the performance of the Association's duties as provided in this Declaration.
- 1.13 <u>Special Assessment</u>. "Special Assessment" shall mean an assessment against all Owners in the event that the Regular Assessment for any particular year is or will become inadequate to meet the expenses of the Association.
- 1.14 <u>Special Declarant Rights</u>. "Special Declarant Rights" shall have the meaning provided in Section 12.

- 1.15 <u>Turnover Date</u>. "Turnover Date" shall mean the date upon which Declarant elects in writing to turn over control of the Association to the Owners.
- 1.16 <u>Unit</u>. "Unit" shall mean a dwelling unit located on a Lot and any associated improvements.

## 2. <u>DECLARATION</u>

- 2.1 <u>Property Covered</u>. The property that is covered by and is hereby made subject to this Declaration is the Property.
- 2.2 <u>Purpose</u>. The purpose of this Declaration is to provide for the maintenance and repair of the Common Area and to set forth other terms and conditions governing the use and enjoyment of the Property.
- 2.3 <u>Declaration</u>. Declarant hereby declares that the Property and all lots, parcels and portions thereof are hereby made subject to all of the conditions, covenants, restrictions, and provisions contained in this Declaration.
- 2.4 <u>Limitations on Improvements</u>. Declarant does not elect to limit Declarant's rights to add improvements not described in this Declaration.

### 3. THE ASSOCIATION

- 3.1 Organization. Declarant shall, within 60 days after execution and recording of this Declaration, organize the Association as a nonprofit corporation under the Oregon Nonprofit Corporation Act under the name "Leland Run Homeowners Association, Inc." or such similar name as Declarant shall designate. The Articles shall provide for the Association's perpetual existence, but in the event the Association is at any time dissolved, whether inadvertently or deliberately, it shall automatically be succeeded by an unincorporated association of the same name. All of the property, powers and obligations of the incorporated Association existing immediately prior to its dissolution shall thereupon automatically vest in the successor unincorporated association. Such vesting shall thereafter be confirmed as evidenced by appropriate conveyances and assignments by the incorporated Association. To the greatest extent possible, any successor unincorporated association shall be governed by the Articles and Bylaws as if they had been drafted to constitute the governing documents of the unincorporated association.
- 3.2 <u>Membership</u>. Every Owner of one or more Lots shall, immediately upon creation of the Association and thereafter during the entire period of such Owner's ownership of one or more Lots, be a member of the Association. Such membership shall commence, exist and continue simply by virtue of such ownership, shall expire automatically upon termination of such ownership, and need not be confirmed or evidenced by any certificate or acceptance of membership.
  - 3.3 <u>Voting Rights</u>. Voting rights within the Association shall be allocated as follows:
    - 3.3.1 Lots. Lots shall be allocated one vote per Lot.

- 3.4 <u>Powers and Obligations</u>. The Association shall have, exercise and perform all of the following powers, duties and obligations:
- 3.4.1 <u>Declaration</u>. The powers, duties and obligations granted to the Association by this Declaration and Bylaws, including, without limitation, the authority to levy assessments against the Lot Owners for the reasonable costs of maintenance of the Association and its responsibilities, as provided in this Declaration.
- 3.4.2 <u>Statutory Powers</u>. The powers and obligations of a nonprofit corporation pursuant to the Oregon Nonprofit Corporation Act, and of a homeowners association pursuant to ORS 94.630, as either may be amended from time to time, except as provided otherwise by this Declaration or the Bylaws.
- 3.4.3 <u>General</u>. Any additional or different powers, duties and obligations necessary or desirable for the purpose of carrying out the functions of the Association pursuant to this Declaration or otherwise promoting the general benefit of the Owners within the Property. The powers and obligations of the Association may from time to time be amended, repealed, enlarged or restricted by changes in this Declaration made in accordance with the provisions herein, accompanied by changes in the Articles or Bylaws made in accordance with such instruments and with the Oregon Nonprofit Corporation Act.
- 3.5 <u>Liability</u>. Neither the Association nor any officer or member of the Board shall be liable to any Owner for any damage, loss or prejudice suffered or claimed on account of any action or failure to act by the Association, any of its officers or any member of the Board, provided only that the officer or Board member has acted in good faith in accordance with the actual knowledge possessed by him or her.
- 3.6 <u>Interim Board; Turnover Meeting</u>. Declarant shall have the right to appoint an interim board of from one to three directors, who shall serve as the Board until replaced by Declarant or until their successors have been elected by the Owners at the turnover meeting described in Article XIII, Section 2 of the Bylaws.
- 3.7 <u>Association Rules and Regulations</u>. The Association from time to time may adopt, modify, or revoke such rules and regulations governing the conduct of persons and the operation and use of the Common Area as it may deem necessary or appropriate in order to assure the safe, peaceful and orderly use and enjoyment of the Property, without unduly infringing on the privacy or enjoyment of the Owner or occupant of any part of the Property. A copy of the rules and regulations, upon adoption, and a copy of each amendment, modification or revocation thereof, shall be delivered by the Board promptly to each Owner and shall be binding upon all Owners and occupants of all Lots upon the date of delivery. The method of adoption of such rules shall be as provided in the Bylaws.
- 3.8 <u>Special Duties of the Association</u>. Without limiting the generality of the general powers and duties of the Association set forth in Section 3, the Association shall have the power and obligation to conduct and perform the following duties, the costs of which shall be borne as provided in Section 4:

- 3.8.1 The Association shall be responsible for maintenance and repair of all Common Area and maintenance and repair of the private stormwater drainage facilities on Tract C. Maintenance of Common Area shall include, among other things, maintaining, repairing, and replacing paths, and fences, in a neat, clean, and attractive condition, as well as the maintenance and repair of the path in the private access easement in Tract A, as depicted on the Plat, and all underground sprinkler systems, if any, to the extent damaged by an act or omission of the Association or its agents or employees; provided, however, that such maintenance shall not include removal of trees that are not diseased, damaged or pose a hazard (which removal shall not occur until the Association obtains the approval of DSL (defined below)). The decision as to the nature and extent of maintenance and the timing of such maintenance shall be solely within the discretion of the Board.
- 3.8.2 Tracts B and C include areas of designated wetlands, intermittent streams and associated buffer areas that are subject to the State of Oregon Division of State Lands ("DSL") rules and regulations. Pursuant to the terms of Declarant's Fill Permit 22739-FP issued by DSL (the "fill permit"), Declarant has installed landscaping in Tract C which the Association will be responsible for maintaining as provided in the fill permit, which Declarant will transfer to the Association. The Association shall remove debris from Tracts B and C, shall maintain the gravel paths, rail fence and pedestrian improvements located therein and shall file such monitoring reports as are required by the fill permit.

# 4. ALLOCATION OF COMMON PROFITS AND EXPENSES

- 4.1 <u>Method of Allocation</u>. The common profits of the Property shall be distributed among, and the common expenses of the Property shall be charged to, the Owners equally, except as provided in Section 5.4 below. Except to the extent provided in the Bylaws, the common expenses of the Property shall be assessed on an annual basis.
- 4.2 <u>No Exception</u>. No Owner may claim exemption from liability for contribution toward the common expenses by waiver by the Owner of the use or enjoyment of any of the Common Elements or by abandonment by the Owner of any of the Owner's Units. No Owner may claim an offset against such liability for failure of the Association to perform its obligations.

## 5. <u>ASSESSMENTS</u>

owned by it within the Property, does hereby covenant, and each Owner of any Lot by acceptance of a conveyance thereof, whether or not so expressed in any such conveyance, shall be deemed to covenant, to pay to the Association all assessments or other charges as may be fixed, established and collected from time to time in the manner provided in this Declaration or the Bylaws. Such assessments and charges, together with any interest, expenses or attorneys' fees imposed pursuant to Section 6, shall be a charge on the land and shall be a continuing lien upon the Lot against which each such assessment or charge is made. Such assessments, charges and other costs shall also be the personal obligation of the person who was the Owner of such Lot at the time when the assessment or charge fell due. Such liens and personal obligations shall be enforced in the manner set forth in Section 6 below. No Owner may avoid such personal obligation by abandonment of Owner's Lot.

## 5.2 Regular Assessments.

- 5.2.1 <u>Commencement</u>. Regular Assessments against all Lots shall commence on a date selected by Declarant, in its sole discretion.
- 5.2.2 <u>Amount of Annual Regular Assessment</u>. The total annual Regular Assessment against all Lots shall be based upon an annual budget prepared by the Board with respect to projected expenses of the Association, including, without limitation, the following:
  - (a) maintenance, repair, replacement, and operation of the Common Area and the private stormwater drainage facilities on Tract C and other maintenance responsibilities as are set forth in Section 3.8;
  - (b) premiums for all insurance policies that the Association is required or permitted to maintain pursuant to the Bylaws;
  - (c) any deficits remaining from the previous fiscal year of the Association;
  - (d) reasonable contingency reserves of the Association established at the discretion of the Board; and
  - (e) such other and further costs, expenses, obligations, and liabilities as the Board, in its discretion, may incur for the management, operation, and maintenance of the Property and the Association in accordance with this Declaration.
- 5.2.3 <u>Allocation of Assessments</u>. All Regular Assessments shall be allocated equally among all Lots.
- 5.3 Special Assessments. In addition to the Regular Assessments authorized hereby, the Board shall have the authority to levy Special Assessments to satisfy any actual or projected deficiency between the expenses of the Association and the amounts realized through Regular Assessments; provided, however, that prior to the turnover meeting described in Article XIII, Section 2 of the Bylaws, any special assessment for capital improvements or additions shall be approved by not less than 50 percent of the voting power of the Association, determined on the basis of one vote per Lot. Special Assessments shall be allocated equally among the Owners of Lots. Special Assessments are payable as the Board may from time to time determine, within thirty (30) days after mailing notice thereof to affected Owners.
- 5.4 <u>Limited Assessments</u>. The Association may levy against any Owner a Limited Assessment equal to the costs and expenses incurred by the Association, including legal fees, for corrective action performed pursuant to this Declaration that is required as a result of the willful or negligent actions or omissions of such Owner or such Owner's tenants, guests, contractors, or invitees, or for a common expense or any part of a common expense that clearly benefits a particular Lot or Lots rather than all the Lots, as determined in the sole discretion of the Board.
- 5.5 <u>Statement of Account.</u> Upon payment of a reasonable fee, which shall be established by the Board but shall not exceed \$50.00, and upon written request of any Owner or

any mortgagee, prospective mortgagee, or prospective purchaser of a Lot, the Association shall issue a written statement setting forth the amount of the unpaid Assessments, if any, with respect to such Lot, and the amount of the current monthly Assessments and the dates that such Assessments become or became due, which statement shall be conclusive upon the Association in favor of persons who rely thereon in good faith. Unless such request for a statement of account shall be complied with within twenty (20) days, all unpaid Assessments that become due prior to the date of making such request shall be subordinate to the lien of a mortgagee that acquired its interest subsequent to requesting such statement. If a prospective purchaser makes such request, the lien for such unpaid Assessments shall be released automatically if: (i) the statement is not furnished within the 20-day period provided herein, (ii) an additional written request is made by such purchaser and is not complied with within 10 days, and (iii) the purchaser subsequently acquires the Lot.

#### 6. ENFORCEMENT

- 6.1 <u>Default in Payment of Assessments; Enforcement of Lien</u>. If an Assessment, or other charge levied under this Declaration is not paid within thirty (30) days after its due date, such Assessment or charge shall become delinquent and shall bear interest from the due date until paid at the rate set forth below and, in addition, the Association may exercise any or all of the following remedies:
- Assessment levied against such Lot and any fines or other charges imposed under this Declaration or the Bylaws against the Owner of the Lot from the date on which the Assessment, fine or charge is due. The provisions regarding the attachment, notice, recordation and duration of liens established on real property under ORS 94.709 shall apply to the Association's lien. The lien shall be foreclosed in accordance with the provisions regarding the foreclosure of liens under ORS Chapter 88; provided, however, that notwithstanding ORS 87.055, a lien may be continued in force for a period of time not to exceed six (6) years from the date the claim is filed and recorded pursuant to ORS 94.709. The Association, through its duly authorized agents, may bid on the Lot at such foreclosure sale, and may acquire and hold, lease, mortgage and convey the Lot. For the purpose of determining the date the claim is filed in those cases when subsequent unpaid Assessments have accumulated under the claim as provided in ORS 94.709(2)(b), the claim regarding each unpaid Assessment shall be deemed to have been filed at the time such unpaid Assessment became due.
- 6.1.2 <u>Suit or Action</u>. The Association may bring an action to recover a money judgment for unpaid Assessments, fines and charges under this Declaration without foreclosing or waiving the lien described in Section 6.1.1. Recovery on any such action, however, shall operate to satisfy the lien, or the portion thereof, for which recovery is made.
- 6.1.3 <u>Fines</u>. In addition to any other remedies available to the Association hereunder and subject to the requirements of ORS 94.630(1)(n), the Association shall have the right to impose reasonable fines upon an Owner who violated the Declaration, Bylaws and any rules or regulations of the Association, in the manner and amount the Board deems appropriate in relation to the violation.

- 6.1.4 Other Remedies. The Association shall have any other remedy available to it by law or in equity.
- 6.2 <u>Notification of First Mortgagee</u>. The Board shall notify any first mortgagee of any Lot of any default in performance of the terms of this Declaration by the Lot's Owner that is not cured within sixty (60) days.
- 6.3 <u>Subordination of Lien to Mortgages</u>. The lien for the assessments or charges provided for in this Declaration shall be subordinate to the lien of any mortgage or deed of trust on such Lot that was made in good faith and for value and that was recorded prior to the recordation of the notice of lien. Sale or transfer of any Lot shall not affect the assessment lien, provided that the sale or transfer of any Lot that is subject to a mortgage or deed of trust pursuant to a decree of foreclosure thereunder or pursuant to a proceeding, deed or assignment in lieu of foreclosure shall extinguish the lien of an assessment, notice of which was recorded after the recording of the mortgage or trust deed. Any such sale or transfer, however, shall not release the Lot from liability for any assessments or charges thereafter becoming due or from the lien of such subsequent assessments or charges.
- 6.4 Interest, Expenses and Attorneys' Fees. Any amount not paid to the Association when due in accordance with this Declaration shall bear interest from the due date until paid at a rate of twelve percent (12%), or at such other rate as may be established by the Board, but not to exceed the lawful rate of interest under the laws of the State of Oregon. A late charge may be charged for each delinquent assessment in an amount established from time to time by resolution of the Board not to exceed 30% of such assessment. In the event the Association shall file a notice of lien, the lien amount shall also include the recording fees associated with filing the notice, and a fee for preparing the notice of lien established from time to time by resolution of the Board. In the event the Association shall bring any suit or action to enforce this Declaration, or to collect any money due hereunder or to foreclose a lien, the Owner-defendant shall pay to the Association all costs and expenses incurred by the Association in connection with such suit or action, including a foreclosure title report, and the prevailing party in such suit or action shall recover such amount as the court may determine to be reasonable as attorneys' fees at trial and upon any appeal or petition for review thereof.
- Association to pursue any remedy provided for violation of this Declaration shall not prevent concurrent or subsequent exercise of any other remedy permitted hereunder. The remedies provided in this Declaration are not exclusive, but shall be in addition to all other remedies, including actions for damages and suits for injunctions and specific performance, available under applicable law to the Association. In addition, any aggrieved Owner may bring an action against another Owner or the Association to recover damages or to enjoin, abate, or remedy any violation of this Declaration by appropriate legal proceedings.

# 7. PROPERTY RIGHTS AND EASEMENTS

7.1 Owners' Use and Occupancy. Except as otherwise expressly provided in this Declaration or in the plat in which a Lot was platted or partitioned, the Owner of a Lot shall be entitled to the exclusive use and benefit of such Lot. Declarant and any representative of the

Association authorized by the Association may at any reasonable time, upon reasonable notice to the Owner, enter upon any Lot for the purpose of determining whether or not the use of and/or the improvements on such Lot are then in compliance with this Declaration. No such entry shall be deemed to constitute a trespass or otherwise create any right of action in the Owner of such Lot. Declarant or the Association may grant or assign easements over or with respect to any Lot to municipalities or other utilities performing utility services and to communications companies.

- 7.2 Owners' Easements of Enjoyment. Subject to the provisions of this Declaration, every Owner and the Owner's family members, tenants, guests, and invitees shall have a right and easement of enjoyment in and to the Common Area, which easement shall be appurtenant to and shall pass with the title to every Lot. Such right shall be conveyed as an undivided easement interest in common with the other Owners of all of the other Lots in the Property. Use of the Common Area shall not result in unreasonable disturbance of occupants of Units and shall be subject to such rules and regulations as may be adopted by the Board from time to time pursuant to Section 3.7.
- 7.3 <u>Title to Common Area</u>. Notwithstanding anything to the contrary in the Plat, fee title to the Common Area shall be conveyed to the Association by the Declarant free and clear of liens and encumbrances at any time, in the discretion of the Declarant, prior to the date on which Class B membership in the Association ceases and is converted to Class A membership.
- 7.4 Extent of Owners' Rights. The rights and easements of enjoyment in the Common Area created hereby shall be subject to the following and all other provisions of this Declaration:
- 7.4.1 <u>Association's and Owners' Easements</u>. Declarant grants to the Association for the benefit of the Association and all Owners of Lots within the Property the following easements:
  - (a) An easement under and upon the Common Area, for installation and maintenance of power, gas, electric, sewer, water and other utility and communication lines and other utility and communication lines and services installed by Declarant or with the approval of the Board;
  - (b) An easement under and upon the Common Area, for construction, maintenance, repair, and use of the Common Area and any improvements thereon; and
  - (c) An easement under and upon Tract B for maintenance and repair of the private stormwater drainage facilities.
- 7.4.2 <u>Additional Easements</u>. Declarant grants the following additional easements over, under and upon the designated tracts within the Common Area, all as shown on the Plat:
  - (a) Water, storm drainage and sanitary sewer easements to the City of Oregon City over the entirety of Tracts A and B.

Declarant also grants the following additional easements over, under and upon the following designated portions of the Lots and tracts, as the case may be, all as shown on the Plat:

- (b) An 10.00 foot wide public utility easement along the frontage of all Lots and tracts abutting public roadways, other than Leland Road;
- (c) A 5.00 foot public utility, sign and slope easement along the frontage of Lots 1 through 5 abutting Leland Road;
- (d) A 15.00 foot public access easement centered on the boundary between Lots 21 and 22; and
- (e) A 10.00 foot private access easement on Tract A for the benefit of the Owners of Lots 1 through 28.
- 7.4.3 <u>Utility and Other Municipal Easements</u>. The Association may (and, to the extent required by law, shall) grant or assign easements to municipalities or other utilities performing utility services and to communications companies, and the Association may grant free access thereon to police, fire, and other public officials and to employees of utility companies and communications companies serving the Property.
- 7.4.4 Transfer of the Common Area. The Association may not by act or omission seek to abandon, partition, subdivide, encumber, sell, or transfer the Common Area unless the holders of at least 75 percent of the voting power of the Association have given their prior written approval. This provision shall not apply to a grant of the easements described in Section 7.4.1 through 7.4.3. A sale, transfer, or encumbrance of the Common Area or any portion of the Common Area in accordance with this Section 7.4.4 may provide that the Common Area so conveyed shall be released from any restriction imposed on such Common Area by this Declaration. No such sale, transfer, or encumbrance may, however, deprive any Lot of such Lot's right of access or support without the written consent of the Owner of such Lot.
- 7.5 <u>Maintenance and Reconstruction Easements</u>. An easement is hereby reserved in favor of the Association and its successors, assigns, contractors, agents, and employees over and across each Lot, for purposes of accomplishing the repair and restoration of the Common Area pursuant to Section 11.

# 8. GENERAL PROVISIONS FOR AND RESTRICTIONS ON USE OF LOTS

- 8.1 The Lot and improvements on each Unit shall be maintained in a clean and attractive condition, in good repair, and in such a manner as not to create a fire hazard.
- 8.2 No Lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any Lot other than one detached or attached single-family dwelling not to exceed two stories in height, and a private garage or carport, except to the extent the provisions of this Declaration are more restrictive, shall be in full compliance with the zoning restrictions of the City of Oregon City.

- 8.3 A greenhouse of noncommercial type, or a garden tool shed or other residential accessory buildings or improvements, may be erected, provided that these types of improvements shall have the exterior painted and, if such structure is separate from the Unit, shall be located within the fenced-in patio or courtyard. Such accessory buildings or improvements shall comply with applicable requirements of the City of Oregon City. All Units shall provide a garage or carport sufficient to accommodate a minimum of two vehicles.
- All garbage, trash, cuttings, refuse, garbage and refuse containers, oil tanks, clothes lines or other service facilities, trailers, boats, campers, and RV's shall be screened from the view of neighboring Units and from the Common Area by a six-foot fence. No RV's shall be visibly parked on a Lot for more than five (5) continuous days in a calendar month. The intent of this provision is to minimize the negative visual impact caused by the visible parking or storage of RV's.
- 8.5 No animal, livestock, or poultry of any kind shall be raised, bred or kept on any Lot, except that a reasonable number (not to exceed two) of dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for commercial purposes and are reasonably controlled so as not to be a nuisance.
- 8.6 No noxious or offensive activity shall take place on any Lot, nor shall anything be done or placed on any Lot that interferes with or jeopardizes enjoyment of other Lots or within the Property.
- 8.7 Satellite dishes are allowed in the rear of each lot only, subject to requirements of applicable law.
- 8.8 The maintenance and replacement (if removed) of trees planted in the rear and side yards of all Lots shall be the responsibility of each homeowner. Customary trimming and pruning in accordance with professional arboriculture industry standards of trees shall be permitted on a Lot without prior approval.
- 8.9 No fence, wall, or hedge shall exceed three and one-half (3.5) feet in height within any front yard setback which contains a driveway approach. Fencing is to comply with the vision clearance requirements of the City of Oregon City and, in any event, no fence, wall, or hedge shall exceed six (6) feet in height. Owners who desire a fence are encouraged to use the same or similar material in style as fencing in the areas near the Property.
- 8.10 Each Owner shall maintain the landscaped yard area of such Owner's Lot in an attractive appearance and free from insects and disease. Each Owner shall provide for the timely replacement of lost plant life and trim and prune the plant material to prevent an overgrown look. All vacant Lots and Lots with partially constructed improvements shall be kept clear of any construction debris, and weeds and grass shall be kept mowed and not allowed to grow to a height of more than six inches. All Owners shall be responsible for landscaping and maintenance in the area between the sidewalk and curb for each respective Lot.

## 9. GENERAL RESTRICTIONS ON USE OF PROPERTY

- 9.1 No person shall construct or reconstruct any improvements, or alter or refinish any improvements, make any excavation or fill, make any change in the natural or existing surface drainage, or install a utility line in the Common Area unless such person has first obtained approval for this purpose from the Association or a duly appointed committee thereof to which such responsibility has been delegated and, if required, from the City of Oregon City.
- 9.2 If any portion of a Unit or other structure now or hereafter constructed on any Lot encroaches on any part of the Common Area or another Lot, such encroachment shall promptly be removed by the Owner of such Unit or structure.

#### 10. DESIGN GUIDELINES

- 10.1 <u>Paint Requirement</u>. The exterior of any structure erected on any Lot shall be fully completed and painted with two (2) coats of stain, preservative, or paint within one (1) year after construction of the same has commenced.
- 10.2 <u>Designs, Materials, and Construction Quality</u>. The external designs and materials of all buildings on each Lot shall harmonize with each other and shall be reasonably harmonious with those employed on the buildings on other Lots. All auxiliary buildings shall be of the same general design and materials as the dwelling. The primary exterior color tone of all buildings shall blend with the natural environment. Bright, unnatural exterior colors are prohibited, except for limited use as trim and accent panels. All dwellings, auxiliary buildings, fences, retaining walls, and similar or dissimilar artificial structures shall be constructed in a good, quality manner in accordance with locally accepted professional building practices.
- 10.3 <u>Dwelling Size</u>. The ground floor area of the main structure, exclusive of one story open porches, garages, and carports, shall not be less than that required by the City of Oregon City Building Code.
- 10.4 <u>Foundations</u>. All structures erected shall have full, concrete masonry or concrete or wooden piers and piling foundations as approved by the City of Oregon City and designed to accommodate the surrounding terrain. Foundations and exterior walls of all buildings shall be finished in a suitable and customary manner for each such type of building.
- 10.5 <u>Minimum Square Footage</u>. No residential structure shall be erected on any Lot or portion of a Lot containing less than 1,160 square feet of living area.
- 10.6 <u>Height Restrictions</u>. No building shall be erected on any Lot exceeding 35 feet in height when measured from the highest point of the building (exclusive of any chimneys or flues) to the average natural ground contour on the uphill side of the building, except as permitted by the City of Oregon City Zoning Code.
- 10.7 <u>Factory Built Homes</u>. All homes shall be constructed on the Lot. Mobile homes, factory built homes, or manufactured homes shall not be permitted. Notwithstanding the foregoing, panels constructed off-site but assembled on the Lot shall be permitted.

## 11. CASUALTY AND CONDEMNATION

- Unit shall repair, reconstruct, and rebuild the damaged or destroyed portions of the Unit to substantially the same condition that existed prior to the damage or destruction. In the event of damage to or destruction of the Common Area or the path on Tract A, the Association shall repair and restore the damaged portion of the Common Area, unless holders of at least 75% of the voting power of the Association agree that the damaged or destroyed portions shall not be repaired or restored. All repair, reconstruction, rebuilding, or restoration shall begin within six months following the damage or destruction and shall be diligently pursued to completion within 12 months following the damage or destruction, unless work is delayed by causes beyond the reasonable control of the Owner or the Association, as the case may be. If the proceeds of the insurance policies held by the Association are insufficient to fund the full cost of repair and/or restoration of the Common Area, the difference between the amount of such proceeds and such cost shall be charged to all Owners by means of a Special Assessment.
- 11.2 <u>Condemnation</u>. If any part of the Common Area shall be taken by any authority having the power of condemnation or eminent domain (or shall be sold under threat of condemnation), each Owner shall be entitled to notice of such event. The Association shall represent the Owners in negotiations with the condemning authority. The condemnation award shall be applied first to restoration of the Common Area or path on Tract A not so taken (unless holders of at least 75% of the voting power of the Association agree that the remaining Common Area or path on Tract A shall not be restored) and then to such other purposes as the Board may determine in its discretion (including payment to the Owners).

## 12. SPECIAL DECLARANT RIGHTS

12.1 Declarant shall have the following Special Declarant Rights:

The right to approve amendments to the Declaration.

# 13. MISCELLANEOUS

13.1 Term. The covenants, conditions and restrictions of this Declaration shall run until February 25, 2022, unless amended as herein provided. After February 25, 2022, such covenants, conditions and restrictions shall be automatically extended for successive periods of ten (10) years each, unless amended or extinguished by a written instrument executed by members holding at least 75% of the voting power of the Association.

# 13.2 Amendment and Repeal.

- 13.2.1 This Declaration, or any provision thereof, as from time to time in effect with respect to all or any part of the Property, may be amended or repealed by the vote or written consent of the Declarant, until the Turnover Date, and of Owners holding not less than 75% of the voting power of the Association.
- 13.2.2 Any such amendment or repeal shall become effective only upon recordation in the deed records of Clackamas County of an acknowledged certificate of the president or secretary of the Association setting forth in full the amendment, amendments or

repeal so approved and certifying that said amendment, amendments or repeal have been approved in the manner required by this Declaration and ORS 94.590.

- 13.2.3 In no event shall an amendment under this Section create, limit or diminish special Declarant rights without Declarant's written consent, or change the boundaries of any Lot or any uses to which any Lot is restricted unless the Owners of the affected Lots unanimously consent to the amendment.
- 13.3 Regulatory Amendments. Notwithstanding the provisions of Section 15.2, until the turnover meeting described in Section 3.6, Declarant shall have the right to amend this Declaration or the Bylaws in order to comply with the requirements of any applicable statute, ordinance, regulation or guideline of the Federal Housing Administration, the Veterans Administration, the Farmers Home Administration of the United States, the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Home Loan Mortgage Corporation, any department, bureau, board, commission or agency of the United States or the State of Oregon, or any corporation wholly owned, directly or indirectly, by the United States or the State of Oregon that insures, guarantees or provides financing for a planned community or lots in a planned community.
- 13.4 Notices. Any notices permitted or required to be delivered as provided herein shall be in writing and may be delivered either personally or by mail. If delivery is made by mail, it shall be deemed to have been delivered 72 hours after a copy of the same has been deposited in the United States mail, postage prepaid, addressed to any person at the address given by such person to the Association for the purpose of service of such notice, or to the residence of such person if no address has been given to the Association. Such address may be changed from time to time by notice in writing to the Association.
- 13.5 <u>Right of Enforcement</u>. Except as otherwise provided herein, any Owner of any Lot covered by this Declaration shall have the right to enforce any or all of the provisions hereof against any property covered by this Declaration and the Owners thereof.
- 13.6 <u>Remedies Cumulative</u>. Each remedy provided herein is cumulative and not exclusive.
- any Lot, regardless of the form of ownership, the responsibility of such persons to comply with this Declaration shall be a joint and several responsibility and the act or consent of any one or more of such persons shall constitute the act or consent of the entire ownership interest; provided, however, that in the event such persons disagree among themselves as to the manner in which any vote or right of consent held by them shall be exercised with respect to a pending matter, any such person may deliver written notice of such disagreement to the Association, and the vote or right of consent involved shall then be disregarded completely in determining the proportion of votes or consents given with respect to such matter.
- 13.8 <u>Lessees and Other Invitees</u>. Lessees, invitees, contractors, family members and other persons entering the Property under rights derived from an Owner shall comply with all of the provisions of this Declaration restricting or regulating the Owner's use, improvement or

enjoyment of such Owner's Lot and other areas within the Property. The Owner shall be responsible for obtaining such compliance and shall be liable for any failure of compliance by such persons in the same manner and to the same extent as if the failure had been committed by the Owner.

- 13.9 <u>Non-Waiver</u>. The failure to enforce any of the provisions herein at any time shall not constitute a waiver of the rights to enforce any such provision or any other provision of said restrictions.
- 13.10 <u>Restrictions Construed Together</u>. All of the provisions hereof shall be liberally construed together to promote and effectuate the general plan and scheme of the Property.
- 13.11 <u>Restrictions Severable</u>. Each of the provisions hereof shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision.
- 13.12 <u>Singular Includes Plural</u>. Unless the context requires a contrary construction, the singular shall include the plural and the plural the singular; and the masculine, feminine or neuter shall each include the masculine, feminine and neuter.
- 13.13 <u>Captions</u>. All captions and titles used in this Declaration are intended solely for convenience of reference and shall not affect that which is set forth in any of the provisions hereof.

IN WIT? hand and seal this		F, the undersigned, as Declarant, has hereunto set its
nand and sear this	day or	, 2002.
		M.J.F. DEVELOPMENT, INC., an Oregon
		corporation
		Ву:
		Its:
STATE OF	)	
	)ss.	
STATE OF	)	
,, by	y Michael J. Flur	t was acknowledged before me on this day of y, who is the President of M.J.F. Development, Inc., an
Oregon corporation, on	behalf of the co	rporation.
		Notary Public for
		My Commission Expires:

## **EXHIBIT A**

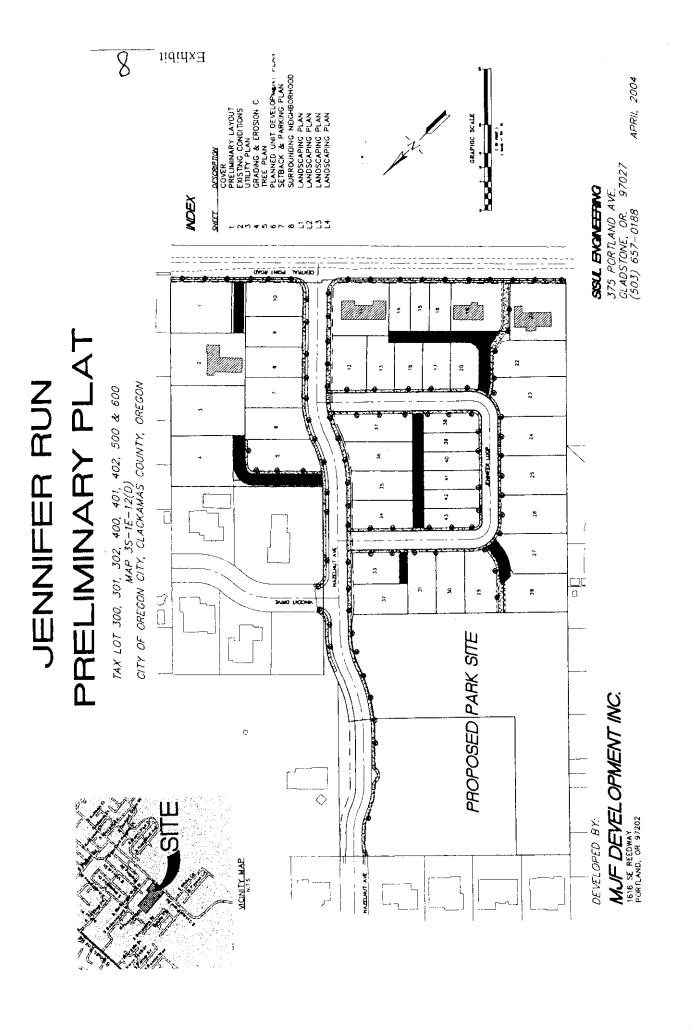
## Property Legal Description

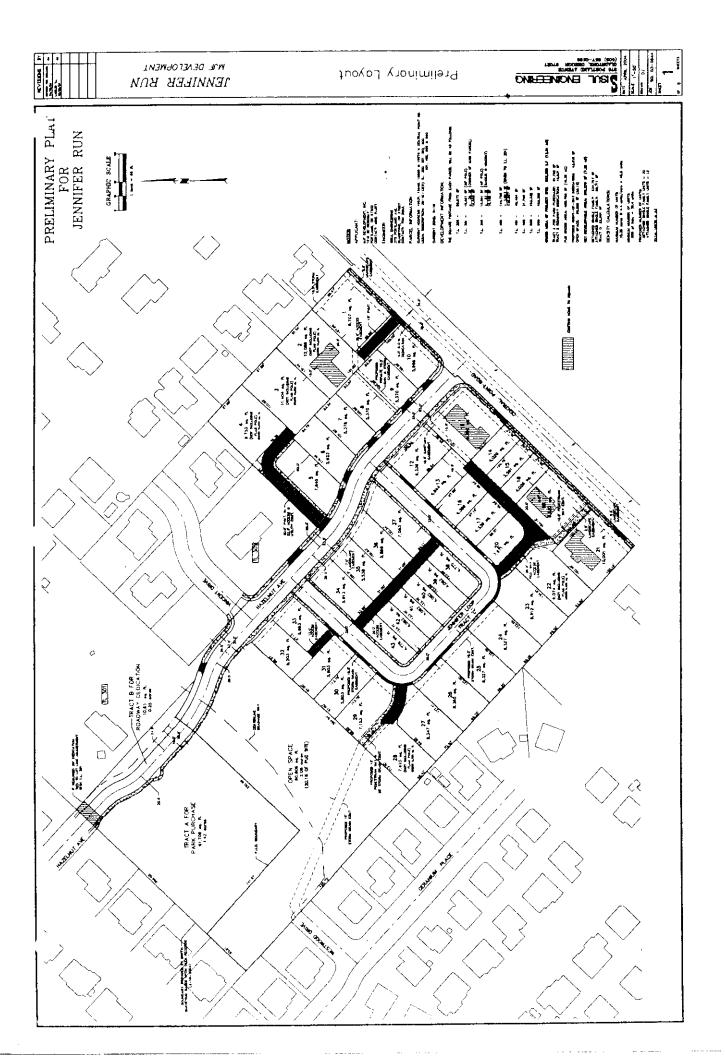
The property known as Leland Run, is the duly recorded plat of Leland Run, located in the City of Oregon City, County of Clackamas, Oregon, according to the plat thereof recorded in Plat Book 121, at Page 24 of the Plat Records of Clackamas County, Oregon. The Property does not include the following Tracts to be conveyed to the City of Oregon City: Tracts A, D, and E.

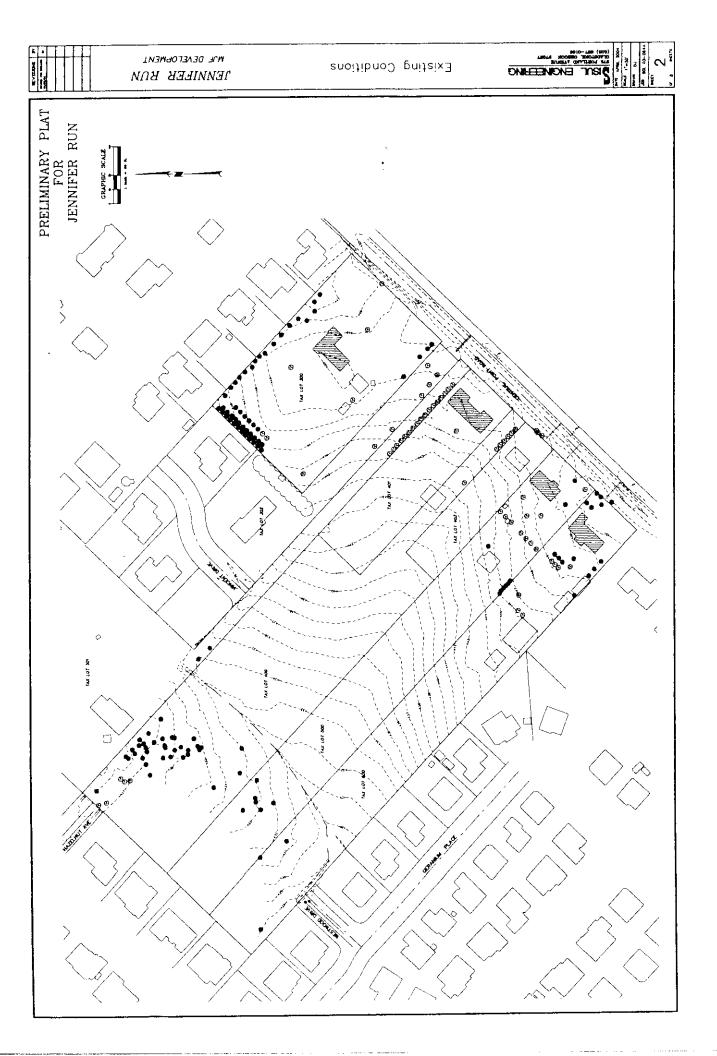
## **EXHIBIT B**

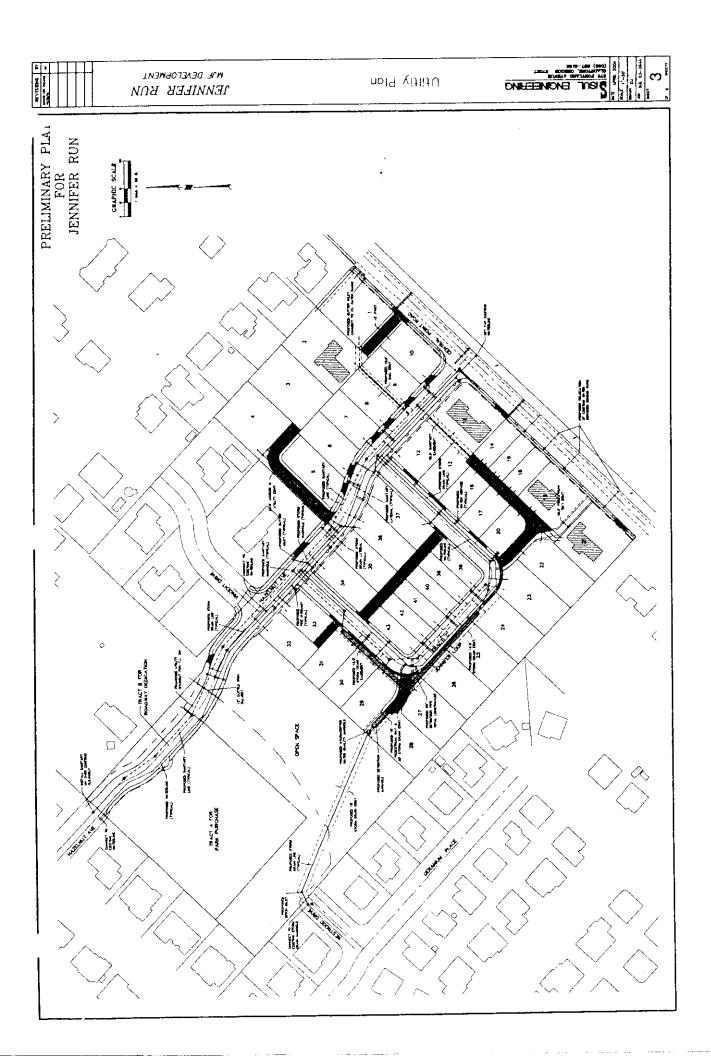
# Legal Description of Common Area

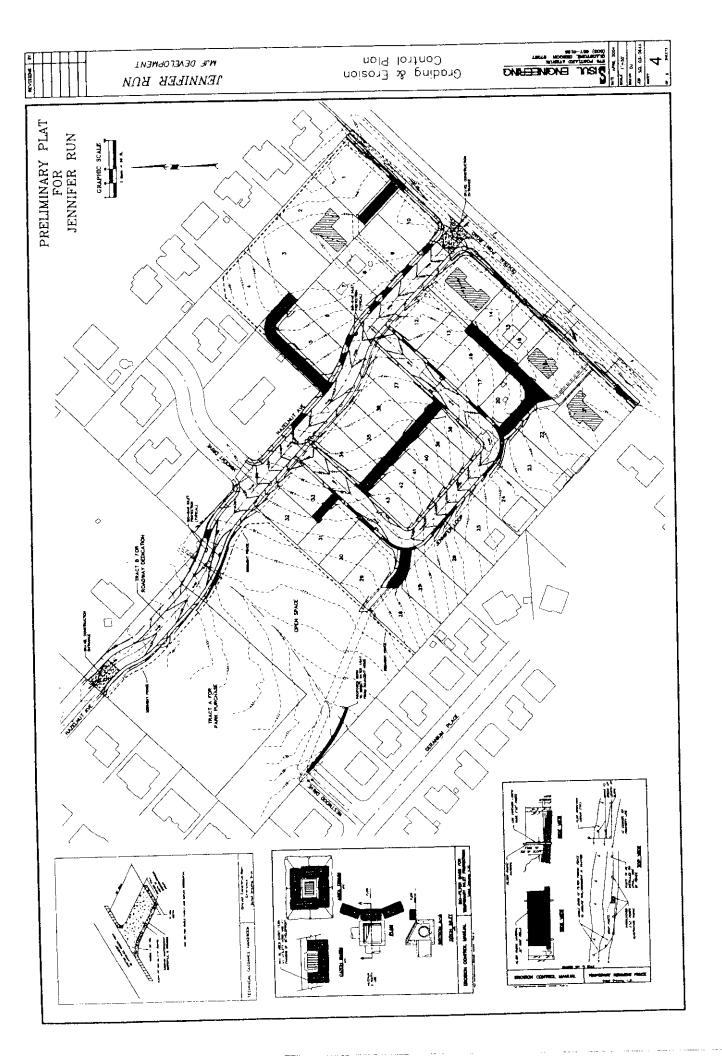
Tracts B and C as shown on the duly recorded plat of Leland Run, located in the City of Oregon City, County of Clackamas, Oregon, according to the plat thereof recorded in Plat Book 121, at Page 24 of the Plat Records of Clackamas County, Oregon.

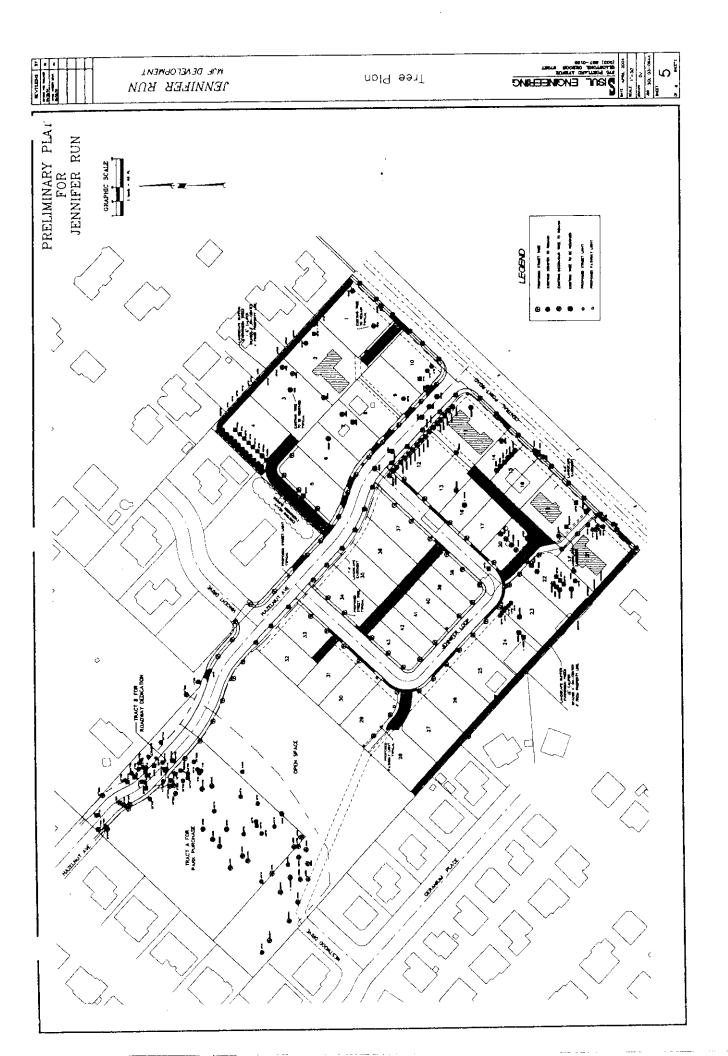


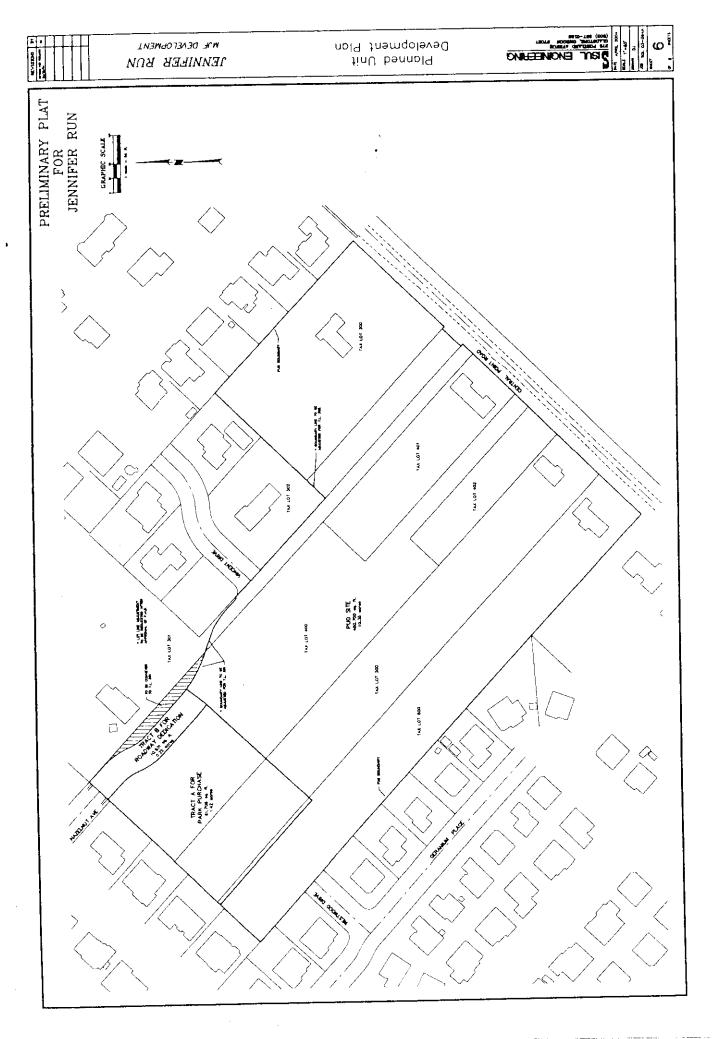


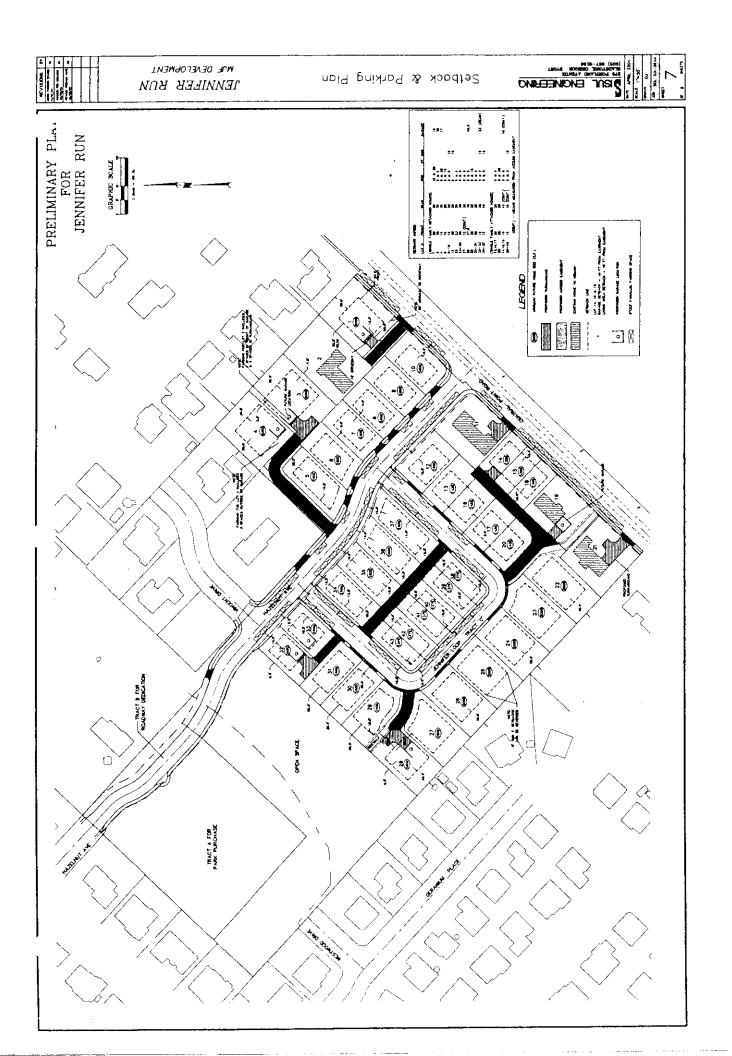


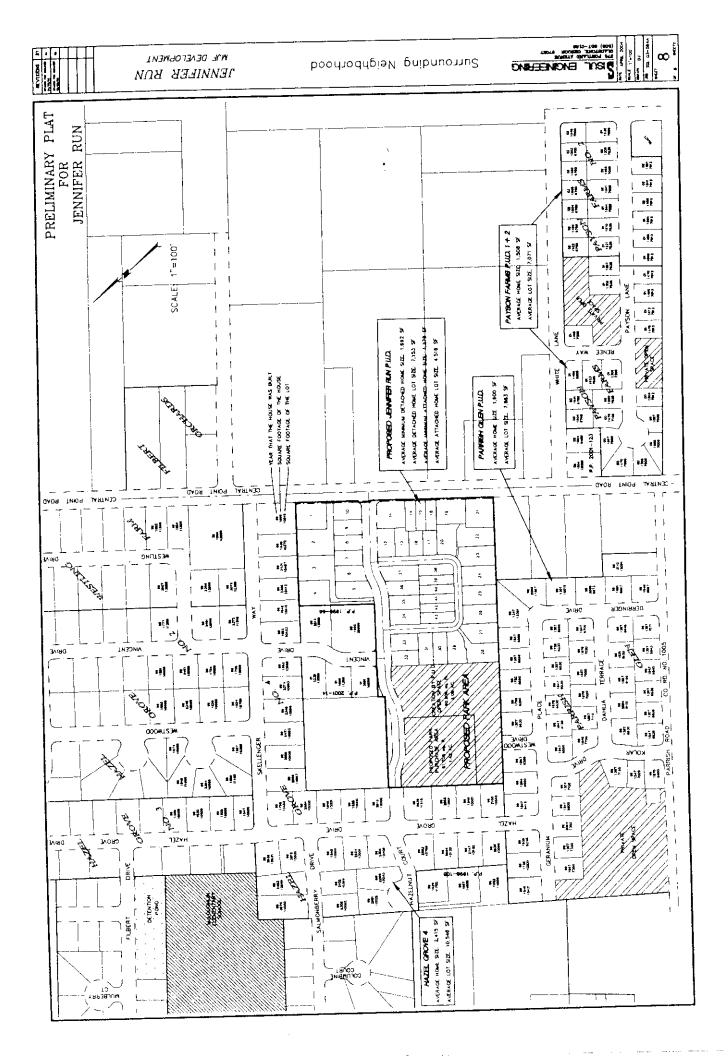


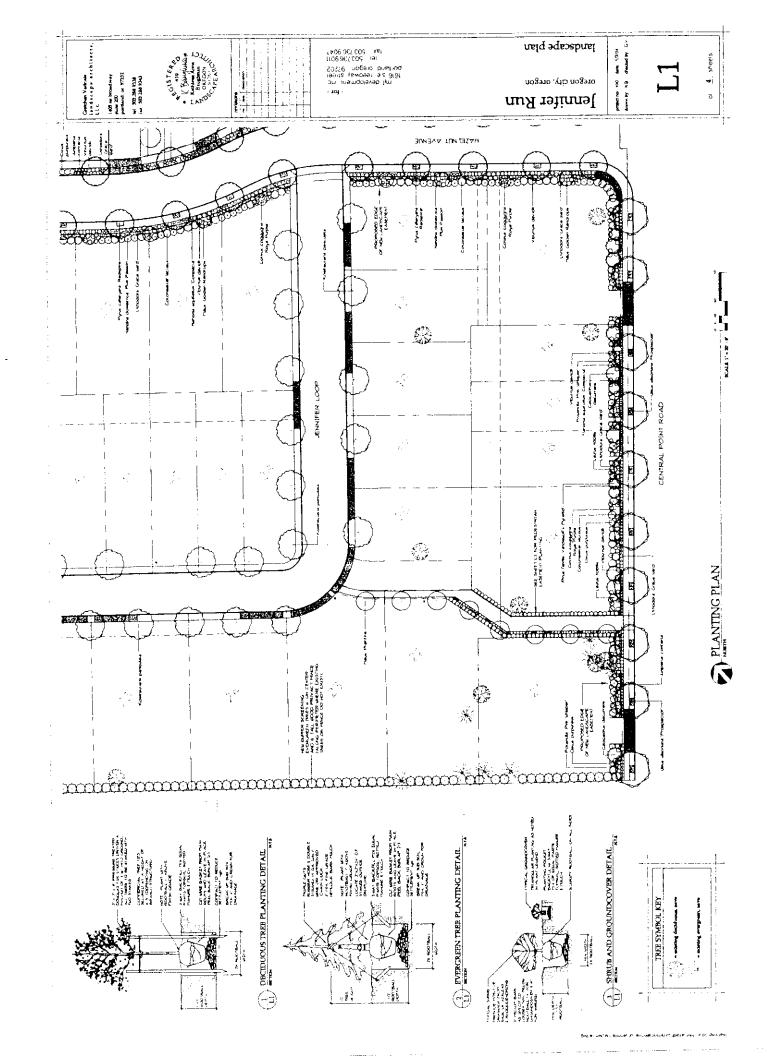


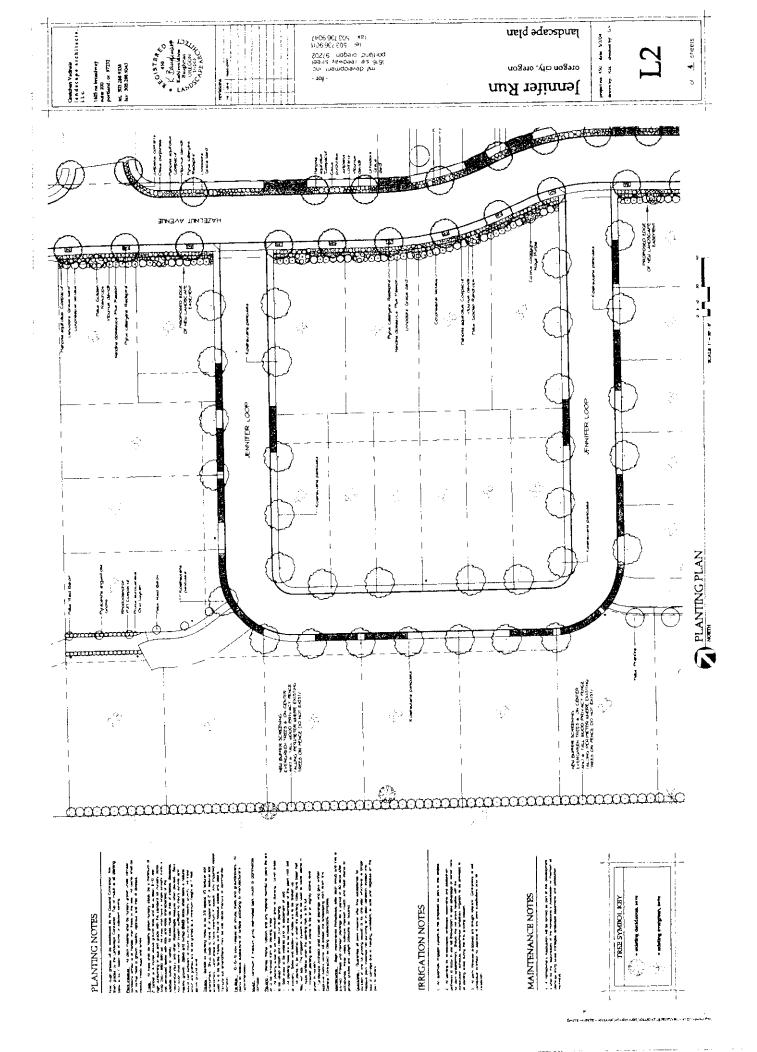


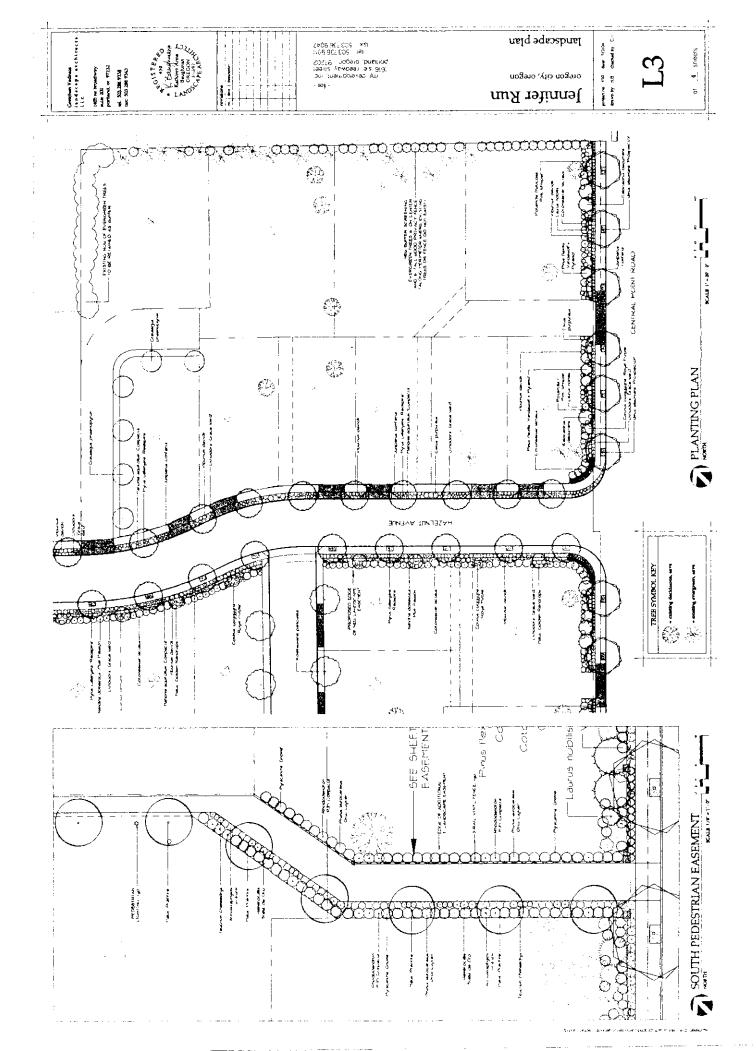


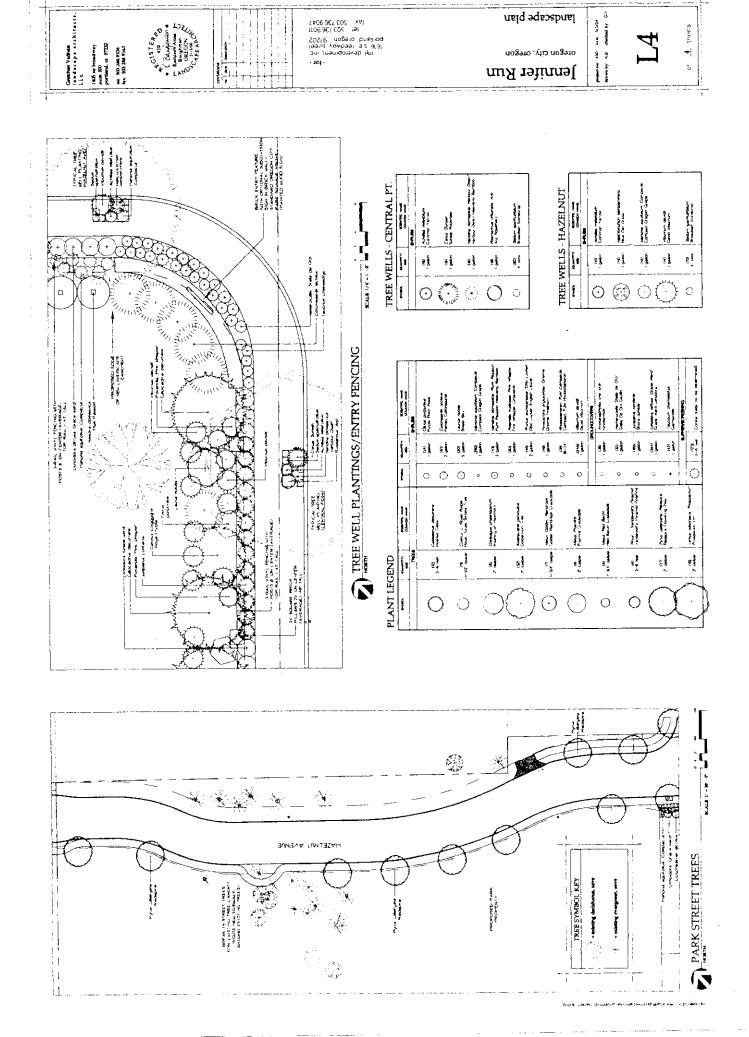




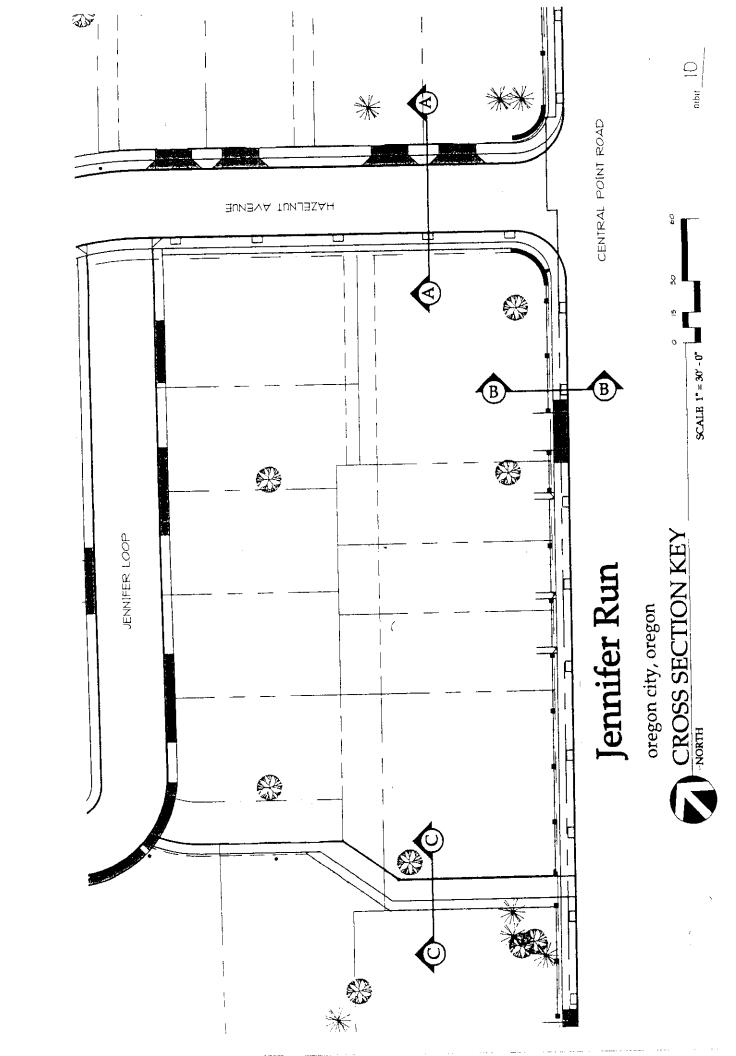






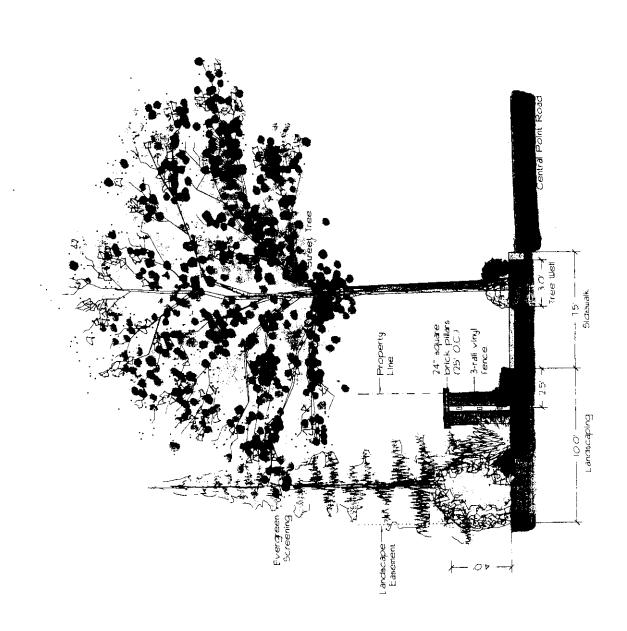


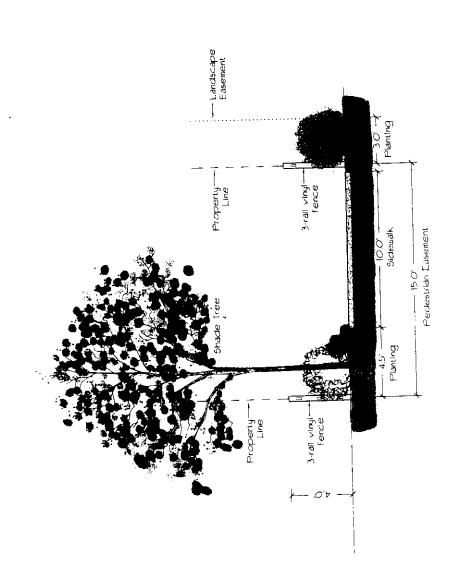
Fxhibit



יים יו – ייון וי פוזיטים

(A) HAZELNUT CROSS SECTION







# CITY OF OREGON CITY - PLANNING DIVISION

PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304

Phone: (503) 657-0891 Fax: (503) 722-3880

# TRANSMITTAL

June 23, 2004

	, and	MAJL-OUT DISTRIBUTION		
IN-HOUSE DISTRIBUTIO	N .	m/CICC		
BUILDING OFFICIAL	. O.E.B	D NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR		
ENGINEERING MANA	AGER	N.A. LAND USE CHAIR		
FIRE CHIEF	TO ONG	OLACKAMAS COUNTY - Joe Merek		
PUBLIC WORKS- OPE	ERATIONS	CLACKAMAS COUNTY - Bill Spears		
CITY ENGINEER/PUE	BLIC WORKS DIRECTOR	ODOT - Sonya Kazen		
TECHNICAL SERVIC	ES (GIS)	on on Con Hunt		
PARKS MANAGER		COLLOGE DIST: 62		
<ul> <li>ADDRESSING</li> </ul>		TOLLIE		
POLICE		NETRO Branda Bernards		
TRAFFIC ENGINEER		OREGON CITY POSTMASTER		
Mike Baker @ DEA		D DLCD		
	T I tal Agg			
LETURN COMMENTS TO	Tony Konkol, Asso	e de l'almei		
COMMENTS DUE BY:	July 14 <sup>th</sup> , 200 <sup>2</sup>			
	July 26 <sup>th</sup> , 2004	1		
HEARING DATE:	Staff Review;	TYPE III - XX PC;CC		
HEARING BODY:				
N REFERENCE TO	PD 04-01 & WR 04-09			
TILE # & TYPE:	Tony Konkol Associate Pla	nner		
PLANNER:	Centex Homes & Oregon C	ity Parks and Recreation		
APF CANT:		-meaual at:		
REQUEST:	1) A Planned Unit Dev	elopment with 43 dwening tilks (1 b o 1 o 7), and		
LOCATION:				
	19619, 19623, No Site Addr	ress, 19631, 19645, 19665 and 19679 Central Point Road.		
my visus material in	c referred to you for your infor	rmation, study and official comments. If extra copies are required, ations and suggestions will be used to guide the Planning staff when		
This application material is	Department Your recommends	ations and suggestions will be used to guide the Planting start when		
This application material is referred to you for your information, study and official comments. The please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when eviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the eviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and will insure prompt consideration of your attached copy of this form to facilitate the processing of this application and will insure prompt consideration of your				
eviewing this proposal. It	m to facilitate the processing	of this application and will insure prompt consideration of your		
attached copy of this for	check the appropriate spaces beli	ow.		
ecommendations. Please	theek the appropriate of	and the state for		
The p	roposal does not	The proposal conflicts with our interests for		
—— ne p	ict with our interests.	the reasons stated below.		
Comi	ict with our interests.			
The	roposal would not conflict our	The following items are missing and are		
inter	ests if the changes noted below	needed for review:		
	ncluded.	1 1 11 1 1 1 1 1 1 1 Weartively		
	mand or services CI	Aused by residential development will wegatively		
MANT Alpend	y inodequate police	resources. The Community in		
experienced th	e elimination of pol	ye response to ceptain types & 911 cars, as		
And John growth.	has out paced	who bounds		
ALLE OF DENI	Le Signed	20071 Mills Calety.		
ALK MOINT TO JUNE	Title	rector of mone on the		
10 11 CE DEPENICES.		ADDITION AND MA		
PLEASE RET	URN YOUR COPY OF THE	Exhibit		
		Exmon		



July 14, 2004

Mr. Tony Konkol City of Oregon City PO Box 351 Oregon City, OR 97045

SUBJECT:

REVIEW OF TRAFFIC IMPACT STUDY - JENNIFER RUN - CENTEX HOMES

- PD04-01

Dear Mr. Konkol:

In response to your request, David Evans and Associates, Inc. (DEA) has reviewed the Traffic Impact Study (TIS) for the Jennifer Run Planned Unit Development (PUD). The TIS was prepared under the direction of Todd Mobley, PE of Lancaster Engineering. The TIS is dated April 2004.

The TIS describes a proposal to construct 43 single-family homes on the northwest side of Central Point Road between Skellenger Way and White Lane. A neighborhood park would also be created by the development. The principal connection from the development would be to Central Point Road with secondary connections to Vincent Drive and Hazelnut Avenue, existing local streets.

#### Overall

I find the TIS to be adequate for the city to evaluate impacts of the proposed development. Though not specifically addressed in the TIS, it was assumed that the park would not generate any traffic. As a neighborhood park, it is probably fair to assume that the park would generate very little. I concur with the conclusion that there will be minor impacts due to the traffic generated by the development.

#### Comments

- Study Area. The study addresses the appropriate intersections.
- 2. Traffic Counts. The traffic counts were obtained in March 2004 and appear reasonable.
- 3. Trip Generation. The TIS uses reasonable trip rates taken from ITE Trip Generation for the residential component of the PUD. As noted above, no trip generation was calculated for the proposed park adjacent to the residential development. Adding a small amount of traffic that might be expected from the park would not alter the conclusions.
- 4. Trip Distribution. The trip distribution seems reasonable.

2100 SW River Parkway Portland Oregon 97201 Phone: 503.223		n I
	Exhibit _	_   4_

- 5. Traffic Growth. The TIS provides for traffic growth since the development is expected to be completed over two years.
- 6. Analysis. The traffic analysis appears to have been performed using appropriate assumptions and tools. The site access was found to operate acceptably. The intersection of Central Point Road and Partlow Road was also shown to operate at acceptable levels of service. Like other TIA's for residential developments in the south part of the city, the TIA shows that the intersection of Central Point Road and Warner Parrot Road has operational problems. During the PM peak hour, motorists making left turns from Central Point Road encounter long delays and LOS F conditions. This is a low-volume movement and the development is expected to add few trips for this movement. The predicted condition is judged to be acceptable and does not require mitigation.
- 7. Turn Lanes. The need for a left turn lane from Central Point Road at the site access was not specifically analyzed, but it is apparent from the volumes cited in the report that a lane is not needed in the near future. The designation of Central Point Road as a minor arterial would provide for a future turn lane.
- 8. Crash Information. The crash information was provide for the intersections of Central Point and Warner Parrott and Central Point and Partlow. The data and analysis did not reveal safety issues that need further analysis or mitigation.
- 9. Pedestrian and Bicycle Facilities. The report provides limited information about facilities and points out that bike lanes are present near Warner Parrott and intermittent sidewalks exist when constructed in connection with recent developments. The project narrative that accompanied the TIS states that curb, gutter, and sidewalks to city standards will be constructed for all streets and street frontages.
- 10. Recommendations. The engineer recommends no mitigation measures. I concur with that conclusion.

## Conclusion and Recommendations

I find the TIS meets City requirements and find that the development proposal does not require off-site mitigation measures to address transportation impacts of the development.

If you need any further information concerning this review, please call me at 503-223-6663.

Sincerely,

# DAVID EVANS AND ASSOCIATES, INC.

John Replinger, PE Senior Transportation Engineer

JGRE:pao o:\project\o\orct0009\correspo\technical reviews\2004\pd04-01.doc

THE CHILDREN IN

July 1, 2004

Dear Neighbor,

My name is Carter Cunningham. I am one of several property owners that are in the process of selling our property to Mike Flury, of MJF Development.

I am born, raised in Oregon City. I initially purchased my home 12 years ago to raise a family in the "country." Within several years, subdivisions popped up all around me and I watched the city grow closer. I felt that a home in the neighboring development with 10,000 square foot lots was intrusive compared to my acreage. As time passed, I realized that progress was not going to stop for me so I needed to adjust my attitude or move.

Many neighbors attended the meeting that was held on March 10th regarding the development progress of several of the adjoining properties to mine. There were a number of negative opinions expressed, however, we all seem to agree that a neighborhood park is a positive addition to our area. You may already be aware of several controversial opinions among us regarding a "Planned Unit Development." I feel that a PUD provides diversity and opportunity for others. 1 am amazed that several of the neighbors are miss informed about a PUD. It certainly is not low income or multifamily housing as I discovered several seem to think and fear! Did you know that the homes in "Parrish Glen" is in a PUD?

I believe that Mike Flury is working hard to accommodate compatibility of lot sizes with appealing landscaping and fencing along Central Point Road. The pathways to the park is a nice added feature for convenience and safety. Mike is trying to work with our wants and needs of the neighborhood. I hope you will educate yourself on the true facts of this project rather than relying on hearsay from negative gossip. We all need to live harmoniously together and make Oregon City a great place to live.

Sincerely,

Carter Cunningham

July 5, 2004

Dear Neighbor,

I am a land owner in your neighborhood and also live close by. Oregon City is where I was born and raised and will continue to reside.

It is very important for me to see responsible development in our community as I'm sure it is to you. I am impressed with the proposed application of several unique and attractive elements that MJF Development has installed. Some if these are: 1) a neighborhood park that the City will construct. 2) the preservation of the mature trees along the west side of our properties. 3) the correction of the water that runs through our land. 4) the road connection of the bordering subdivision. 5) finally, the wide sidewalks, street lights, pathways to the park and landscaping will add value and improve safety for all our families.

I previously have considered other developers to purchase my land. It was however, not financially feasible for those developers to build homes with 10,000 square foot lots with the requirements of the City for a park, a road accessing Central Point Road, and the new regulations protecting the fish with the water run-off. A planned unit development works best for consideration of the value of our land.

At the neighborhood meeting that was previously held, there were voices that are opposed to this development. I believe that a person should be able to use their property as they choose so long as they are within the laws and building regulations of the City. It seems as though we are loosing more of our freedoms every day. Progress is an inevitable part of our lives and I try to play a positive role in it.

I am encouraged by what MJF Development is planning and I believe this development is good for the community. I hope that you will support our efforts to improve the livability of our city. Please feel free to contact me anytime. Thank you for your time and consideration.

Sincerely,

Rick Dotson (503) 657-0500

July 7, 2004

To our Neighbors,

Most of you are well aware that we have reached the stage in our lives when we must sell our Central Point home. We gave it considerable thought before we signed on with a developer, realizing it was just a matter of time before someone would divide our two acres into smaller lots. It didn't make sense to not have our land included into a planned development. This is a difficult project to put together with all the other various properties. It is vital it is part of a city plan.

We feel Mike Flury is doing his best to make further changes and work with the City. He has been most sincere with us. We are pleased he will be able to save our house and a number of the trees. Also the four lots on our North side will average 10,000 S. F., which should please those living on Skillenger Way.

We certainly hope this can come together as an attractive interesting development, it is bound to happen sooner or later.

Sincerely,

Unn Landholm / Ben Landholm Ann and Ben Landholm

To: Oregon City Planning Commission, Oregon City Planning Department.

Regarding: File number PD 04-01 and WR 04-09.

Applicant: Mike Flury.

Having reviewed above stated file, I strongly support and recommend approval of this plan.

The major benefits to City and local home owners are:

A needed City Park. Preserves the grove of trees. Maintains open space. Solves the water drainage issue. Develops the 12 acre site.

Other benefits for the City and new housing ownerships.

Fits affordable housing into existing neighborhood with minimal impact. Helps Oregon City meet Metro and State density requirements. A City Park outside new owner's front doors.

This plan shows that the City can work with owners and developers, to provide enhanced livability in Oregon City.

This plan provides something of significant benefit to everyone, yet no one gets everything they might have wanted.

Thank you for the opportunity to comment, and again I recommend approval of the plan.

Verner E. Johnson 19882 S. White Ln.

Oregon City, Or. 97045

To: The Origin City Planning Commiscion From: Carlone Crawford 11822 Skellenger Way Re: File No. PD 04-01 and WR 04-09 In Favor of the Development I am in favor of the project!

1) The total plan by Mr. Flum sloms

sound 2) est will proserve quite a bit of the natural woodland that still Motor. 3.) ett will improve Central Point road with sidewalks and lighting 4) Most of the lots will be 10,000 sq. ft. with a few smaller lots. which origin the area will be developed, Since Mr. Flury appears to have considered the neighborhood, it would be prefurable that no plan be accepted. Mank you for your romideration, Carline ( Exhibit 19

7-8-04

10: City of Oregon City
Planning Commission
Re: Proposed Subdivisions in
351 E 12 D NW of Central Point
Road. Heaving to be held 7-26-04

Lam Not opposed to an orderly development in this area.

I feel that a person should have the option to use thier land as they wish according to the laws, and also to the land best use. Such land use is best done by excelent planning and good development pratices that consider without it indironmental

ISSUES

Savid H. Wheeler 19566 5, Contral 14186 Oregon City, OR. 47045

CITY OF OREGON CITY OPLIANNING DIVISION
PO Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045-0304
Phone: (503) 657-0891 Fax: (503) 722-3880
TRANSMITTAL

	June	e 23, 2004
IN-HOUSE DISTRIBUTI	ION	MAIL-OUT DISTRIBUTION
BUILDING OFFICIA		• CICC
ENGINEERING MAN	√AGER	NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR
FIRE CHIEF		N.A. LAND USE CHAIR
PUBLIC WORKS- OF		CLACKAMAS COUNTY - Joe Merek
○ CITY ENGINEER/PU	BLIC WORKS DIRECTOR	CLACKAMAS COUNTY - Bill Spears
□ TECHNICAL SERVICE	CES (GIS)	□ ODOT - Sonya Kazen
		□ ODOT - Gary Hunt
□ _ADDRESSING		SCHOOL DIST 62
□ POLICE		a TRI-MET
TRAFFIC ENGINEER		METRO - Brenda Bernards
O Mike Baker @ DEA		<ul> <li>OREGON CITY POSTMASTER</li> </ul>
		• DLCD
ETURN COMMENTS TO	, 1101	
COMMENTS DUE BY:	July 14 <sup>th</sup> , 2004	
EARING DATE:	July 26 <sup>th</sup> , 2004	
EARING BODY:	Staff Review;	<u> TYPE III - XX</u> PC;CC
N REFERENCE TO		
ILE # & TYPE:	PD 04-01 & WR 04-09	
LANNER:	Tony Konkol, Associate Plan	
PPLICANT:	Centex Homes & Oregon Cit	
EQUEST:	The applicant is requesting ap	
	1) A Planned Unit Deve	lopment with 43 dwelling units (PD 04-01); and
OCATION.	2) Water Resource Dete	rmination (WR 04-09).
OCATION:	The sites are identified as Maj	p 3S-1E-12D, Tax Lot 300, 301, 302, 400, 401, 402, 500 and 600
	(12.01 acres and zoned R-10 S	Single-Family Dwelling District). The site are located at 19599,
	19019, 19023, NO Site Addres	ss, 19631, 19645, 19665 and 19679 Central Point Road.
his application material is	referred to you for your inform	ation at 1 1 100 th
case contact the Planning I	Penartment Vous recommendation	nation, study and official comments. If extra copies are required,
viewing this proposal. If v	on wish to have your comments	ons and suggestions will be used to guide the Planning staff when considered and incorporated into the staff report, please return the
tached copy of this form	to facilitate the processing of	this application and will insure prompt consideration of your
commendations. Please che	eck the appropriate spaces below	this appreciation and will insure prompt consideration of your
The prop	posal does not	The proposal conflicts with our interests for
conflict	with our interests.	the reasons stated below.
		the vertical delical delical.
	posal would not conflict our	The following items are missing and are
	s if the changes noted below	needed for review:
are inch	ided.	h
-DDI Humite	s from March 18	3,2004 + May 20,2004
		0 /
	Signed & a Di	y Hogan
	Title Land	Ose person
Di e ace demonstra	I VOUD CODY OF THE	
FLEASE RETURN	N YOUR COPY OF THE APPI	LICATION AND M

FIEGERYED

# Hazel Grove/Westling Farm Neighborhood Association

#### And

South End Neighborhood Association Joint Meeting May 20, 2004

Kathy Hogan opened the meeting at 7:00 P. M.

National Night Out Tuesday August 3, 2004

Art Faire July 10, 11, 2004. Krayon Kids Musical Theater Company will have a fund raiser at Abernethy Center in June to raise money to go on their trip.

Next meetings dates: September 16, 2004, and November 18, 2004.

Public hearings in May and June for Urban growth boundary expansion for industrial jobs.

Doug Stewart representing owner of 18791 Central Pt Rd. for 3 lot partition. Two smaller lots are about 3600 sq. ft. Type two application, needs only staff approval. Zoned RD4.

CONCERNS: Parking, Traffic, Lots too small, Impact on Schools, Not enough parking for individual homes.

Pre- App.- PA04-11, Partlow and South End Rd. 6 lots with Partlow realigned to Lafayette, 10,000 sq. ft. lots, option 1.

CONCERNS: MH not transition housing, Doesn't fit with character of neighborhood.

Motion and second to oppose MH unanimously approved.

Pre- App. - PA04-16 for Rose Rd.- Paul Reeder.

CONCERNS: Traffic, Safety, Lots size too small, too much density, Not Transitional, water table, visual blight, application looks the same, they have not tried to meet the neighbors half way, not compatible with surrounding neighborhood

PUD-Jennifer Run- Mr Flurry, MJF Development Central Pt. Rd., Vincent Dr. and Hazelnut Ave.

CONCERNS: Lot size to small, density, Traffic, Not compatible with surrounding neighborhood, not transitional between urban and rural, Park of no benefit neighborhood, R10 preferred, too much for police to support, No mass transit, Traffic, Livability would be compromised.

Motion made by Bob H. to send minutes to Planning. Second and motion passed by all.

504°

Motion to pass minutes of March 18, 2004. Motion passed.

Karen Montoya announced National Night Out on Aug. 3, 2004 at Chapin Park for South End.

Talked about Beavercreek Road and Highway 213 intersection .

Adjourned at 8:25.

Сю	7	თ " თ	<i>w</i> 4	2	1 #	D,
X acres	Mile Schmoltzer	BHN DINGES	Heure Brachen	Tres	NAMES(S):	ATE: May2020
STREET: 137 Deer Drook CI	STREET 888 Stellenge	20st Part	11814 SKellewan 1 mm Con.		ADDRESS:	2004 EVENT: SEM
CITY: ZIP:	E-MAIL:	CITY:   SID:   S	5 half th Stock	in City	0. C.   ZIP. 97045	A+H9/L
HOME:	HOME: 503656 6875	HOME: \$03-656-5060 WORK: HOME: WORK:	HOME: 203 622 4221	HOME: 503 650	PHONE #(S):	AUA

	E-MAIL:	> ×	12 april 25 hours
HOME:		19465 NESTUNDE	B MART WESTAMOIL
*OF 80 888 COS 400	ightelat	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	7- (t/SVe)
74 5	200401 200401	STEED OF THE TOTAL SOCIETY	Muchitation
HOME: \$03 557-0603	2"		6 Marlen Brooks
HOME 5037235378	CILL OF 0 10 42	19423 Hofel Grose	5 OTO DIETRICH
HOME: 503-557-8366	CITY. C. 21P.	19383 WESKIND & 19383 WESKIND & 503-557-0149	4 Mirino FiEN
HOME: 615-5860	KE-MAIL: 516.	STREET:	3 JIM KOSEL
HOME: 503-656-5060	CITY: 0.0   210.	STREET: 188765 ROJE 'Rd FAX:	2 Phyllis Dinges
HOME: 503-723-334	E-MAIL: 217 21P.	STREET: 1934 S. HAZELBROVE FAX:	1 Pont MARCOERITE  O'Brien
PHONE #(S):		ADDRESS:	# NAMES(S):
A	MA 4H9/WEY	OY EVENT: ) E	DATE: May 20,2004

	ρ		7	C	ת	C	л	<del>-</del>	_	C	<b>~</b>	١	ა			#	D
							John Smets	Denner	Devilto		Tour lotured	& MARY !	Lawrence TRAI	Turt le	MARIENE	NAMES(S):	DATE: muldoga
FAX	STREET:	FAX	STREET:	FAX:	STREET:	FAX:	STREET: 1009 Salphanborn	i	STREET: 5/1/2 (1216ER	FAX:	STREET: Nely SI	FAX:	STREET: 19384 Moreant De	FAX	STREET:	ADDRESS:	2009 EVENT: SE
E-MAIL:	arv.	E-WAIL:	מודי:	E-WAIL:	arx:	E-MAIL: Delins 95 Medico	O. C	E-WAIL:	0 C	E-WAIL:	0 C	E-WAIL:	00 Cole		Charles of the		10/4 + J
	ZIP:		ZIP:		ZIP:	20 (4)	Sholb ar		21P:		ZIP:		540C6		57045		9/0
	HOME:		HOWE:		HOWE:		HOME 507-811-8282		MORK: 503 -655-4988		HOME: 637-1230		HOME: 507-650-7583		HOME 593 - 6551658	PHONE #(S):	FNA

HOME: 203-827-2028	54042 Stab.	1 S. CENTRALPTRO. CITY.  S. Umeestar CITY.	STREET: 9388 FAX FAX FAX	Eugene F. Hopeny In.	o
HOME: 722/194 WORK: 722/194	510 UD:	STREET:  1/696 S Jelmondony Dr OC  STREET: STR	STREET: STREET: 11696	Cilie Misami	ω 4
MORK 723 4303	242 b	) S GENTATION PL OCTY:	5 STREET.	Todd Feferson	2
PHONE #(S):	57045 HE	ADDRESS:	AD SIREET. 1976	NAMES(S):	<u> </u>
NA	19/WF n	EVENT: SEZA+	900y	DATE: May 20;	D

# 日本 (日本) 日本 (

#### South End Neighborhood Association

#### Minutes for March 18, 2004

Kathy Hogan opened the meeting at 7:00PM and introduced Karen Montoya Chair person for South End Neighborhood and Kathy Robertson Co-Chair.

Kathy Hogan passed out dates of next meetings. There is the possibility there may be no news letters in the future. City has run out of funds.

Hazel Grove/Westling Farm Neighborhood Association's newsletter is on the Oregon City web site in Neighborhood Association section. The dates of the meetings are on the Calendar for the rest of the year.

April 10, 2004 Easter Egg Hunt at River Crest Park.

April 24, 2004 Oregon City clean up, starts at Clackamette Park at 8:00AM.

People needed for committees in both Neighborhood Association and City.

Showed pictures of River boats and explained about the dock move.

K-9 unit Officer Titus received a donation of a bullet proof vest.

Hazel Grove Westling Farm Neighborhood Association checking account has \$98. Officer Laird discussed the Neighborhood Watch program. Lt. Conrad was also present. Officer Laird discussed things to look for, when to call 911.

Officer Laird discussed the role of neighbors to resist crime, neighbors first line of defense, and working with police.

- 1. Growing needs for Neighborhood Watch
- -- Less police for more people.
- --People used to know everyone on street.
- 2. Make tough for criminals.
- -- Watch for suspicious activity.
- --Mark valuables with ID number. Not Social Security Number or License Number
- -- Train family members to secure doors and windows before leaving home.
- -- Upgrade locks, lighting, and alarms.
- --Meet in neighborhood groups.
- 3. Neighborhood Watch Groups.
- --Discuss needs, interest, problem.
- --Contact local police department.
- -- Contact as many neighbors as possible.
- 4. Planning for a successful first meeting.
- --Schedule kick off meeting in convenient place.

- -- Keep chain on door.
- --If paying for a delivery, shut door while you get money.
- -- Don't bring purse or wallet to door, have money ready.
- 18. Safeguarding Kids.
- -- Teach them not to go with strangers.
- --Don't approach car if stranger stops.
- --Don't ride bike alone and wear helmet.
- -- Look before crossing street.
- -- Don't play in street.
- --Don't open doors to strangers at home.
- --Don't say you are home alone. Stay in boundaries at play.
- --See gun don't touch it. If you feel threatened get away.
- -- Tell parents where you are going and when you are coming back.
- -- Call parents if there are a change in plans.
- 19. Personal Safety.
- --Avoid walking or running alone at night. Try to walk or run in well lighted area.
- --If someone asks for direction don't go up to car.
- -- If followed go to an area of lights and people.
- -- If needed turn in opposite direction. Carry cell phone.
- 20. Keep inventory of house hold items.
- --Write down serial numbers.

Farmers Insurance has good web site.

Jim Kosel motion for approval of January 15, 2004 minutes. Second by Karen M. Motion passed. Kathy H. wrote letter to Commissioners about Commercial zone MUC on South End and Partlow Road, as Land Use Person.

Up date on Rose Road, have heard nothing as of yet. Partlow Road and Hartwood Dr. Minor Partition, divide a lot into two lots. Motion made that there was no conflicts with minor partition.

Partlow Road (Old Fire Station site)—4 Lot subdivision—Would like to maintain the integrity of the neighborhood. Motion that the proposal does not conflict with interests of neighborhood made by Kathy Robertson and seconded by Karen Montoya. Motion passed.

Mike Flury's project at Hazel Nut Court and Central Point Road, Skellenger Way Neighborhood Concerns:

Do not want Attached housing. Lot size to small. Should have Transition at Edge of Urban Growth Boundary. Too much Traffic. Shared wall housing not in character of neighborhood. Streets too small. Should be compatible with surrounding area. The area would be compromised with attached housing. Livability would be compromised. People worried about having attached

044

buildings near their home. Land locked. Plan Unit Development (PUD) is not a good fit with this area. People want to have PUD to make money. Roads are not in good shape. Schools are not large enough for all the new students.

Jim Kerwood represents property owner. He explained that the lots were 52.779x147, average 7,000sq. ft. lots, other lots not attached.

Attached housing 3,000 sq. ft. 13 attached housing Plan Unit Development allowed according to zoning. Property has resource area, needs access to Central Point Road. Economically viable.

Tom O'Brien made motion to oppose anything other than R10 going into the property and to send the minutes with our concerns to Planning Commission. Karen M. seconded the motion. Passed by a vote of 21 people.

Tom O'Brien talked about the Comprehensive Plan . All Commissioners except Tom Lemons were for Commercial on South End and Partlow. Mayor and Commissioners wanted to change wording . Now they want Village Center and are looking at further out or at Partlow , or at South End Market.

Beavercreek Road conditional use, could rebuild.

Planning March 29, 2004 can send more public feed back. April 21 is Commission meeting at Pioneer Center at 7:00 P.M.

Jim K. from CPO is having a meeting on April 1<sup>st</sup>. 2004, 7:00P.M. at John McLaughlin School. Dan Drentlaw will speak about visioning out South End Road.

Vincent Dr. and Skellenger Way needs stop sign.

May 20, 2004 next meeting.

Karen M. motion to adjourn. Seconded by Jim K. Motion passed.

ADDRESS:  ADDRESS:  ADDRESS:  PHONI  SHELL  SHELL	8	7- Aid Hold	6 Karen Mo	5 E. Grandal	4 Kirch Roberton	3 Admette	2 John 15/2/60	1 Marline B	# NAMES(S):	DATE: 3/18	
CITY JE CORE CON HOME SOS E-MAIL LIP JUP JUP JUP JUP JUP JUP JUP JUP JUP JU	320	934/ May ex	MARCH SOF	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	STREET.	SIREE: 7 8 08 %	SIRELT S	12 C S S (E)	ADDRESS:	ho	
21P. 27045 HOME SO3 21P. 27045 HOME SO3 21P. HOME SO3	CITY CITY	CITY O	CITY.		CITY.	OLY, CO.	OLLS CITY	ute		N D	
	HOME 27 PLL	HOME 2 2	L		HOME: SO3-	21P: HOUE-SOS.  97045 WORK:	7045 HOME	₩0 H0	PHONE	ETZÞ	

\_

C	α	7/	6	Ċ	4	w Jan	2		#	DÀ
	John P. Dinges	Phyllis Dinges	Pur Webs	CRYSTAL PALL	TM KOSEL	Kathy Horgan	Ran Phillips	Tran + Mougarite	NAMES(S):	DÀTE: 3   18/04
FAX	SIRLET 188965. ROSE RN	FAX	STREET: 11798 St colonger	EXX KOULCACTURE	11466 FINNEGAN'S WY	STREET: 1972 1 S CENTRAL PKOLD COM.	STREET: 19224 S P.Ne PL.	SIREEI SIHOSALUETE	ADDRESS:	EVENT: SENA
E-WAIL:	CITY: ZIP:	CITY ZIP: 97	CITY. ZIP.	CITY ZIP.	SA OLS. LLS NOSSON	done city 19704	CITY C.14 970	CITY CRUSTON (IT ) ZIP.		f. I
	HOME: 65	5.6 300 F HOME 928	HOUE: C	HOME 57	HOME: 65	HOME: 65	97045 HOME 7.	HOME: WORK:	PHONE	WF NA
	6-5060	6-5060	3-652-4127	36566875	7-7860	19435	22 9065		NE #(S):	

ω	)		7_	0	D	5	4	W.	2	_	##	D,
	02127 L234S		MIKE CONEAD			Genory & Milnes	heli a mondy	KETHLINIER	Dennis Land Stapleton	KEVIN CAYSON	NAMES(S):	DATE: 3/18/04
FAX	STREET: CCPD	FAX:	STREET: CCPD	FAX	SIREET.	115025 almon hung p	440 S Vincendon	34 S Skeller your	FAX.	1944 5 Vincental	ADDRESS:	EVENT: SE1
E-WAIL:	CLTY: ZIP:	E-WAIL:	CLTY: ZIP:	E-WAIL .	CITY. 21P:	AIL 2776	E-MAIL 61-17 11-18-18-18-18-18-18-18-18-18-18-18-18-1	hegn lity	THE STATE	TX C) C AUSON 2 COC		14 + H9/WF
	HOME: 563 657 4564		HOME: 4563 657 4564		WORK:	4.5 HORK:		MORK 503 34		HOME:	PHONE #(S):	1 7 7



July 6, 2004

Oregon City Planning Division Oregon City Hall 320 Warner Milne Rd. Oregon City, OR 97045

RE: PD04-1 and WR04-09

City of Oregon City Planning Division:

We are strongly AGAINST the development that is tied in with the above said land use application.

We are concerned that this project is not compatible with the surrounding area and it will be detrimental to existing Owners.

We are urging you to DENY this application.

We are urging you to listen to the Neighborhood and take action AGAINST this project.

Michael go Crawer

Sincerely,

RECEIVED

July 6, 2004

Oregon City Planning Division Oregon City Hall 320 Warner Milne Rd. Oregon City, OR 97045

RE: PD04-1 and WR04-09

City of Oregon City Planning Division:

We are strongly AGAINST the development that is tied in with the above said land use application.

We are concerned that this project is not compatible with the surrounding area and it will be detrimental to existing Owners.

We are urging you to DENY this application.

We are urging you to listen to the Neighborhood and take action AGAINST this project.

Sincerely,

JOHN P. CRAVEN III 19481 Westling Drive Oregon City, OR 97045

Jan P Crave

503 557-9743

Oregon City Planning Division Oregon City Hall 320 Warner Milne Rd. Oregon City, OR 97045

RE: PD04-1 and WR04-09

City of Oregon City Planning Division:

We are strongly AGAINST the development that is tied in with the above said land use application.

We are concerned that this project is not compatible with the surrounding area and it will be detrimental to existing Owners.

We are urging you to DENY this application.

We are urging you to listen to the Neighborhood and take action AGAINST this project.

Sincerely,

Oregon City Planning Division Oregon City Hall 320 Warner Milne Road Oregon City, OR 97045

RE: PD04-1 and WR04-09

City of Oregon City Planning Division:

We are strongly against the development that is tied in with the above said land use application.

We are very concerned that this project is not compatible with the surrounding area and it will be detrimental to the existing owners.

We are urging you to please deny this application.

We are urging you to please listen to the neighborhood and please take action against this project.

Sincerely,

Lany and Patricia Behm Larry and Patricia Behm

July 6, 2004

Oregon City Planning Division Oregon City Hall 320 Warner Milne Rd. Oregon City, OR 97045

RE: PD04-1 and WR04-09

City of Oregon City Planning Division:

We are strongly AGAINST the development that is tied in with the above said land use application.

We are concerned that this project is not compatible with the surrounding area and it will be detrimental to existing Owners.

We are urging you to DENY this application.

We are urging you to listen to the Neighborhood and take action AGAINST this project.

William H. Vubers

WICCIAM H. VICIZERG 19384 HAZEL GROVE DA OREGAI CITY, OR 47045 (503) 655-3762

Sincerely,

Oregon City Planning Division Oregon City Hall 320 Warner Milne Road Oregon City OR 97045

RE: File Number PD 04-01 and WR 04-09

Dear Sirs and Madams,

This letter is to inform you that we <u>ABSOLUTELY OPPOSE</u> the approval of the planned unit development on sites Map 3S-1E-12D, Tax Lot 300, 301, 302, 400, 401, 402, 500 and 600; as requested by applicant/owner MJF Engineering – Mike Flury and represented by Tom Sisul – Sisul Engineering and Chris Cocker – Planning Livability LLC.

We have no desire to see our neighborhood turned into a multi-family living situation. Past experience has seen neighborhoods deteriorate and become unmanaged when converted to multi-family. Not to mention the lowering of value on our single-family houses. We also feel there is no need for a park in our neighborhood. The majority of the home owners in the neighborhood have 10,000 square foot or larger lots and we can put out our own picnic tables in our yards. There are plenty of watershed and nature habitats established to fulfill our need of green spaces.

Central Point Road is already in bad condition and the further adding of yet more traffic, in addition to the 93 houses that were added within the two years on the east side of the road between Partlow and Skellenger, would make Central Point a continuous stream of cars that would damage the road even further. We've seen no plans to improve that roadway and it's one of the worst in the hilltop area.

Skellenger Way is already treated by the majority of drivers as a raceway from Central Point Road to Hazel Grove Drive. No need to mention the risk involved for pets and children. There are no stop signs at the intersections of Vincent Drive and Westwood Drive; as a resident of Vincent Drive we have seen many near misses, collisions and have cleaned up glass from unseen collisions at those intersections because drivers feel they have the right-of-way from all sides. Skellenger Way has the added traffic from the Parrish neighborhood as most seem to feel Skellenger Way is a better drive than Parrish Road to get to Geranium Place and Kolar Drive. If you feel that speeding traffic is not an issue we suggest checking your records and seeing as to why you approved speed bumps on Hazelnut.

Please, **DO NOT**, approve the plan to construct the proposed Planned Unit Development. Thank you for your time and consideration.

Sincerely,

Scott & Sherri Kirkpatrick 19429 S Vincent Drive

Oregon City OR 97045

503-656-1919

lunger Dity Librate, terribatea Oity 1 11 Sub Warmer Hilmo Ad. Creyen Dity, Creyen

.s an owner and resident of Magelgrove heighborhood, I am our rised by the drastic change in lot sizes being proposed in this application.

I feel the R-10 moring which has been in effect throughout assiling larm, Hazelgrove, Hazelgreek and other neighboring developments should be maintained.

I trust your department will consider carefully the impact this proposal will have on this established well planned neighborhood.

پنجارين (پنجارين)

Loise H. Orandall
19407 HazelCrove Er.

Crajon City, (2

### Colin Clark and Marlene Brooks 19445 S. Vincent Dr. Oregon City, OR 97045

July 8, 2004

Oregon City Planning Division Oregon City Hall 320 Warner Milne Rd. Oregon City, OR 97045

RE: PD04-1 and WR04-09 Jennifer Run

City of Oregon City Planning Division:

We are so disappointed in the City for allowing MJF to go forward with this project.

At the initial meeting with the City and MJF, the home owners from the neighborhood all voiced their opinion. That opinion was that what MJF proposed was NOT compatible with the surrounding neighborhood. We stated to keep the lots sizes 10,000 sf, leave out the park and build NICE homes on 10,000 SF LOTS. The City has allowed this to go forward AGAINST the home owners, AGAINST the property tax payers. It is so disappointing that we feel the City is against us, the home owners, and not looking out for our best interest.

This proposed project is on the boarder of the urban growth boundry and rural countryside. These types of projects are **not compatible** in any way, shape or form with the surrounding area.

If this project is allowed, you will have a fight to the bitter end, not just from us but from the whole neighborhood. That is the only GOOD thing I have seen come out of this so called project. We have hit the streets, visited all of our neighbors (300 +), had petitions signed, and they have vowed, along with us, to fight this to the bitter end. It has made us a stronger neighborhood.

I think it is time the City LISTEN to the tax payers, LISTEN to the home owners, LISTEN to the neighbors who are CONCERNED about their neighborhood and VOTE AGAINST this project!

We are strongly AGAINST the development. We **know** that this project is not compatible with the the surrounding area and it will be detrimental to existing Owners.

We are urging you to DENY this application.

We are urging you to LISTEN to the Neighborhood and take action AGAINST this project.

Sincerely,

Colin Clark and Marlene Brooks

Exhibit 29

9

 $\equiv$ 

0

50

9 July 2004 P.O. Box 827 Oregon City, OR 97045

File Number P.D. 04-01 & WR 04-09 Oregon City Planning Commission

The purpose of this letter is to state my opposition to re-zoning the Jennifer Run Development from R-10 to a lesser zoning number.

This development adjacent to the Westling and Hazel Grove housing developments is zoned R-10. Smaller dwelling lots backed against an R-10 would not insure continuity of the area and completely out of character for this neighborhood.

The city has zoned this property R-10 for good reason: R-10 developments presents itself favorably and fits into the character of this suburban area.

I ask that this re-zoning request be denied.

Thank you for your attention to this matter.

Sincerely,

Dale Meiners

Dale Meiners

# RE: FILE NUMBER PD 04-01 and WR 04-09

As residents of Hazel Grove Subdivision we wish to express our concern regarding the proposed Planned Unit Development at the sight specified on this file.

The zoning change and the housing proposed for this development is not comparable with the surrounding real estate.

The condition of Central Point Road can barely handle the traffic that is there now.

The project includes park land for Oregon City. On paper, the park land may be a compelling sales point, but is it reasonable? On numerous other occasions, we homeowners have heard how the city cannot afford to maintain additional parks and really are not fond of these "small localized" park plots. We currently have a retention pond a half block from our home and we observe how difficult it is for the city to maintain it.

We do not know or understand all the land use issues. What we do know are the everyday surprises we continue to be met with as Oregon City homeowners. Our homes are a major investment carefully made. We have researched the zoning for the adjacent undeveloped property. Finding that it is zoned R-10 meets our expectations of contiguous neighborhoods of comparable housing. Therefore learning that our city planners and planning commission can easily change this zoning to accommodate the PUD, which includes multiple attached housing, is very unsettling. These changes undermine the needs of your existing residents. Residents who have invested in Oregon City, pay taxes, shop and live in the community. Why should an outside developer's needs be placed above your own citizens? It is in the best interest of the city to make sure that this area continues to meet the standards that have been established. It will enhance the livability, desirability and, in the future, the amount of property taxes for the city.

The planning commission, city commissioners and all involved showed great care in making their determination when it comes to the land use for Wal-Mart. They could have chosen to make a zoning change for that too. Instead, they reviewed and studied and made sure their decisions were the best for the citizens of Oregon City and the well being of the city. This zoning issue needs the same thought process with the end result a rejection of such a dramatic variance to the current zoning.

Tokerla Diesing

Sincerely.

Michael and Roberta Miesing

19365 Hazel Grove Drive Oregon City, OR 97045

Phone 503-656-9417

Exhibit 3

WECEVED WAY

65:1 Nd 6-70 70

#### Marlene Brooks 19445 S. Vincent Dr. Oregon City, OR 97045

July 9, 2004

Oregon City Planning Division Oregon City Hall 320 Warner Milne Rd. Oregon City, OR 97045

RE: Jennifer Run - Signatures OPPOSING

RE: PD04-1 and WR04-09

City of Oregon City Planning Division:

Attached are signatures from the surrounding neighborhood AGAINST Jennifer Run. These signatures come from The Hazel Grove/Westling Neighborhood, the Hazel Creek Neighborhood, the Parrish Glen Neighborhood and the Payson Farm Neighborhood.

We will expect the City to take in account these signatures opposing this project when voting on this project. We expect these signatures to help the City determine what is BEST for our neighborhood.

We are urging you to listen to the Neighborhood and take action AGAINST this project.

Sincerely,

Marlene Brooks

cc:Kathie Hogan

LECHIVED

AGAINST
Planned Unit Development
for JENNIFER RUN

PHYSICAL ADDRESS

NAME (PRINT)

SIGNATURE

P. (4 1/4 //4	- 2d o () ( F)	School College	O South a most	17) C. C. C. F. D. C. C. C.		18 193	My Sell		March Janiales		Carl Maken	Hendrick C	Taine Pry tre!	aprice	Hair H. Charles	402	1.	15 (79)	James & Thachelow	1
11862 5 Kelle, 480	11793 SKellenger	19400 Hazel Grove	Kingon History Carone Dr.	19408 Hazel C. 2022 Dr	194165 the 1500 LAR	194119 HAZEL Grove AUS	11620 S. HAZERMIT OT.	11613 5 HS 201 MS CT.	116125Hozz (NIT P	11612 < Marcon Ct	11617 HAZELAZU? (JT.	(9428 HAZEL GRUJE DR	1942 1272 (Sypra 127	19423 Hazel Gross, Ar	19407 +1 22 Elarove Dr.	11837 Skellenger Way	1) //	11828 Shellywir Will		Flachsbart
1 Robert 5 1865 sin an	2 Pat Weber	کی	4 Kanc ( Comme / Passo	3	6 Textessa Minsters	1 Edul March M.	8 Michier Ringhamer	9 Hennis Hompion	10 Kasen L Shidor	Ž.	L, WA	13 ROBERT MHENDRICES JR	14 / KUNIA Palimer	15 OTTO F. DIETRICH	16 Eloise Marandall	17 JM Branson	18 Glaria Bransan	19 (Prystal 1901	20 Jan R Herbert 5	LJames R

Oregon City Residents

AGAIF:

Planned Unit Development
for JENNIFER RUN

21	C 42 4 CM 624 C	11850 Stellenger way	Low (8 2 Same
22		11824 SKellengek Nay	Your Chuz
23	H	19424 Huzo 1622 D	John
24	\	11621 Hezzelmitat	Handy Stapleton
25	77	1162/ Hazelaut Ct	Donnes Stapleton
26	Les Madame	11696 Salmonlessey	Les Maranel
27	Cecilia Maniel		Vegille Michanil
28	KAKI WO	19420 HIZEL Grove Dr	The Nora
29	り	19420 14AZX GROUR DA.	Jella Anton
30		11814 SKellenger Way	July Harden
31		11814 Skeilenger wang	Sac de
32		-	
33			)
34			
35			
36			
37			
38			
39	1		
4			
4			
42			
43			

Oregon Ony meandering AGAINST

Planned Unit Development for JENNIFER RUN SIGNATURE

PHYSICAL ADDRESS

NAME (PRINT)

BUSSIA 100 \$ JOHNSON OF Exactly S S. Cincent Dr Virat D S. Vircont Me 9345 Vincent or 2409 WARTHER 19365 S WASSE 19475 Vuceus # 2017 (1851 12 S かせの 12761 てからつ 93781 10 16 いたかい 0/26 9345 19384 16376 ててしかい E DEMARTS SHEFFIELD Schlegaline Teresa Purturi ... ... 7>50177 HQ 4 MAGAO had Pat MASUN COM Mol 1000/ とられての 9 10 9 16  $\frac{\epsilon}{\infty}$ 

Par: 1

Oregon City Residents
AGA<sup>r T</sup>
Planned Unit L-velopment
for JENNIFER RUN

0.012/11/	( Janhannsky)	FILE I		7																			
IOI JENNINER ROIV	194295 Viven Dr	19445 VINCONT DR	19445 8 Vinewat DR																				
	21 Charlotte Lingstnie	22 COUN CLARK	23 May Luxe Browhs	24	25	26	27	28	53	30	31	32	33	34	35	36	37	38	39	40	41	42	43

AGAINST
Planned Unit Development
for JENNIFER RUN

PHYSICAL ADDRESS

NAME (PRINT)

SIGNATURE

Man Gel	Os W. Arrat	Chin & Struct	Daval Land	Jan Wallock	Ly MO Street	AR Ma	Town Especial	White falls	Mill Colleges	Thomas Mostra.	Loweth Short De		Phalism En		Alla	Laket.	Mrs. Colonial Colonia	1000 - 1000 S	Kovanz & Bines
14476 S. NETSANOON DR	1942 Westwall Or, D.C.	19422 WRSTWOOD DE. O.P.	19414 WESTWOOD DR O.C.	19411 WAShoord Dr. OCOR	19409 Westward Dr. OC, OR	1	19417 westweed De OC OR	19403 Westward Dr	19402 westweed De	19382 S. Westhord Dr.	19381 S. Westwood Dr.	19383 S. WESTUND DR	19375 S. Westwood Dr.	1970 Joseph Lack CV	19374 WESTNOOD R	19370 WESTWOOD DR	19370 Westweed Dr	11014 Har-hoce 1 DV	11895 Hartrook Do
1 MARC CONEN	2 Greg W. Arnhart	3 JOHN SCHWITZER	4 DAVID Schock	5 Sasiba Schrube	6 Seth Strand	7 KRISTI MAGSEN	8 Terry Leconard	9 Mile Perket	10 JACK Chandler	11 FRANCES MOVELS	12 Jenniter Schroeder	13 Minipm Fien	14 Charles M. King	15 Kreith Heylach	16 SCAMPEN PUBLIN MANNING	17 RyAN SPILE	18 Dethamy Sale	19 X Cury 9 200	20 Bxahne Rimer

YUNTONG S Comme The use 19371 WESTWAND DR CC 11535 Wasso WIND DA Oregon City Residents **AGAIN**Planned Unit Development 21 KEUN & AMMINI TRUMINE 22 Mike Royburn Print NAME

 Oregon Ony residents
AGAINST

AGAINST
Planned Unit Development

for JENNIFER RUN

SIGNATURE ST CO 19457 S. WestMg Dr. 19401 Wedeling Live E 19468 S Withing 19464 5 Westing Br 11946 skellenged way PHYSICAL ADDRESS 19469 S. Westing 5 Westin 19461 Westring 19477 WESTING DR 19440 WESTUNG 19453 S, West Come 9445 S. Westling Dr 19428 WEStleng USHING S WOSHING 19444 S (1) 12x (ling 19432 Westing 1571 S. Hazeldell 7676 + towns // prison Dale + ackle trazel examoran. MADEE RAMSINE Mark & Johnson Hatti e) Rama (Loug GLEASON Simee Clavey agan me hi SOFICH NAME (PRINT) Par Derioge Jarole J. Noc Hansa larry Belin Srant Allen MARK + WRI Senny ann 178× Bodl ဖ 8 O 0 13 4 15 16 17 48 19 20 Oregon City Residents

AGAIF

Planned Unit Development for JENNIFER RUN

PHYSICAL ADDRESS

NAME (PRINT)

SIGNATURE

-	Angela VTCI	11616 (xeranium Place OC	Arge Curt
2	HENRY ROL	11604 Copposium Place	Harry Meil
3	John of the first	11592 Gressmen 21	Grap Line
4	Reshall		Simaly Me
5	and Rose	V 1	Interest of
9	150 L C.14	19612 5 KOBR DR	Les & C.C.
7	Miller Mether	11629 Geranium Place	( hila Whatsun
8	I Enny ( Dallau	Woulderm PL	1 Konny Willy
6		11641 Geranium Fr.	LATE I
10	170 CC'1	11652 Geranium 16	Chr. W. Co.
11	WI- B LEGES	19440 S VINCENT OF	12 - 13 July 1
12			
13	11 11 1 0 00 1 1 1 1 1 1 1 1 1 1 1 1 1	1984 S Vin and Re	Salve Contract
14	The state of the s	1974 Sugar Silver St.	Charles Towns of the Control of the
15			
16			
17			
18			
19			
20			

AGAINST

Planned Unit Development for JENNIFER RUN

SIGNATURE

PHYSICAL ADDRESS

NAME (PRINT)

Many 11684 S. Salmonberry Dr DE 9315 MAHOGAN DA 11696 S. Salmontderry 1769 S. Salmanbaca, Dr 9310 Mahadamy 11392 Parrish Ra 11392 DAN RISH Mayk Van Bomelen MDE OREAVES ecilia McDania Vattiat Ohis M Smot Marcy Ann 8 19 20 16 8 10 7 13 7 5

Page⊸1

Oregon City Residents
AGA' T
Planned Unit Development
for JENNIFER RUN

PHYSICAL ADDRESS

NAME (PRINT)

SIGNATURE

Marin & Mitter	Marie Kinder		Toda Witum	7	, 8												
18896 5,165c 13M 0.C 30045	18896 5. Rose Rd. C.C. 27045	41	11700 5 GERENTUM Pl.	19441 5. Vincent du													
2 20 P. D. N. G. S.	3 Augus Langer	5	6 Todd Priterson	7 KEVIN CAYSON	8	6	10	1	12	13	14	15	16	121	18	19	20

AGAINST

Planned Unit Development for JENNIFER RUN

SIGNATURE

PHYSICAL ADDRESS

NAME (PRINT)

11466 FINDER FOR WY OC 19121 SCONTON PORCH Vincent the Contained & 19364 S. HAZELGROUR Dr. 18999 CATHU ADAMS 117 BC 8 Martin Ringle CHARLTON 5 HIGHT O BRIEN Statis MARGUERITE JE MIN 20 9 10 7 12 4 8 4 Ś 9 13 16 17

**Oregon City Kesidents** 

Planned Unit Development for JENNIFER RUN SIGNATURE

PHYSICAL ADDRESS

NAME (PRINT)

 $\delta_{e \, \sigma}$ Mes/2 Gordon 2d Coursens Gerned Lidne m Courant try fuller aver JUDITH 1 SOMN X X X nin Dallid 19500 5 Central fourt & OC 14500 5 CENTRALBINERS 0 (V) 19510 SCENTEUR FOLTRI CO 19510 S. Central Print Rd OK 194,3 S. Central Pt. Rd. 00 00 9  $\bigcirc$ 19531 S. Central Point Rd. 19763 So-Parrish Rd. OC. PFRA إلمحايا S. Central Part 80 19731 S. Central et Ru 195335 Central P Rd SLAN - 1471 (2) S S autral Pt 19531 5 Central PF で から かしまる 19530 CO CENT PTRA Geranium Pl 19532 S. Central 19763 S. PARRISH 11791 WILTS スシー 9731 とう ひらて Arry S. BUNNETT J. CRAMER EONAM COURAND Warren CCARLSON Mar1son 7 Lowersky Elting Godon H. Courand 13 Gordon S. Bennett ELTIMA も込 SABINE CRAMER MEINER 1/21126 M T Catherine N. PARCI NZIAN 12 mg 7 770 ノイシア 15 4 16 9

AGAINST
Planned Unit Development

	1		Dave Robert Son	Histor Name Int	Toby Marie J	Gu Sm.A	Rich Thomason																
for JENNIFER RUN	11863 Uhite lone O.C. OK	11845 White UN DR. OC	11845 White Ch O.C.	11805 physant 01	fright to	11812 SV Payer, Ly OC	19627 lenge Buy OC																
	21 Watter	28 July C. Lost	23 Tave Robert Soin	24 Duka- Mars	25 Jahr (1)	26 (27	27 Mich Varyon	28	29	30	31	32	33	34	35	36	3/	38	39	40	41	42	43

Pa ∼ 2

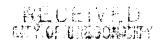
Oregon City Residents
AGA' T
Planned Unit Development
for JENNIFER RUN

PHYSICAL ADDRESS

NAME (PRINT)

SIGNATURE

	Low Ourlaw DEr	19492 Ollhad Cook Dede	morlide
2	Phristhal Thomas- Flitcaft	19716 S. Derringer Dr. ORCity	Fristing V. Monus Attack
3		1971/ S. Dering Dr Or CA	Jos Halten 18
4	Eloise Prondall	19407 Hazelarove Dr. Oll	Beng of Gundall
5	Todd Petrsyon	5 (	Toda Status
9	Patti Behm	11846 Skellenger Way	Articia Lehm
7	hathen Backel	12131 Hazeldell Are	Kithy Bakel
80	STA BOUCKET	12.131 HAZZOUL AVE	
6	DILLIAM H. VICLERS	18384 HAZEL GROVE DA	Wester 4. Vack
9	iem Rad	19492 Ordreyd Grave Dr	Man .
=	John P Chres	19471 WESTEING OF. OR CITY	I'm Town-
12	ANDY D. HOLTHOUSE		AC The
13	Menn Grown new	De Go Hozalde Cle	
4		170 60 TRECOR HEVE	ance the
15			1 M Mitter
16	Karen Henry	,	Con March
17	Shane Jonala	19476 Westing DR Ce	Mg Di
18		b	
19			
20			



#### Marlene Brooks 19445 S. Vincent Dr. Oregon City, OR 97045

July 12, 2004

Oregon City Planning Division Oregon City Hall 320 Warner Milne Rd. Oregon City, OR 97045

RE: Jennifer Run - Additional Signature OPPOSING

RE: PD04-1 and WR04-09

City of Oregon City Planning Division:

Attached is an additional signature to add to the list that was turned in on 7/9/04. **Please make sure this gets added to the list**. The signatures are from the surrounding neighborhood AGAINST Jennifer Run. These signatures come from The Hazel Grove/Westling Neighborhood, the Hazel Creek Neighborhood, the Parrish Glen Neighborhood and the Payson Farm Neighborhood.

We will expect the City to take in account these signatures opposing this project when voting on this project. We expect these signatures to help the City determine what is BEST for our neighborhood.

We are urging you to listen to the Neighborhood and take action AGAINST this project.

Sincerely,

Marlene Brooks

cc:Kathie Hogan

Exhibit 33

	Oregon City Residents	10/b/L	75
7K/N1	Planned Unit Development  #IDDRESS for JENNIFER RUN		
44 Nobert MicsiNG	19365 HAZEL 610 JR DRIJE	Soll A GNATINEE!	
46		Justing Thesing	
47			
48			
49			
50			
51			
52			
53			
54			
55			
99			
57			
58			
59			
09			
61			T
			<del>-</del>
			<b>T</b> -
			T

Page X /

RECEIVED

#### Letter in Opposition to Proposed

#### Jennifer Run Development

I am drafting this letter to express my strong opposition to the proposed Jennifer Run Development by MJF Development Inc. off of Central Point Road. The proposed Jennifer Run PUD raises a number of concerns and potential impacts to the livability of the surrounding neighborhood and area. My concerns are as follows:

#### Livability

- The proposed development utilizes a combination of attached and detached homes, which are out of character in an area of single-family, detached homes.
- The proposed development minimum lots sizes are significantly smaller than surrounding neighborhoods.
- Jennifer Run proposed development breaks continuity and integrity of surrounding neighborhoods, which is a critical component in maintaining home values and a solid and sustainable tax base for the city.
- Development utilizes stub roads/long driveways to access some of the proposed homes versus cul de sacs as in surrounding neighborhoods, again breaking the continuity of the surrounding neighborhoods.
- Potential devaluation of surrounding community and neighborhoods due to mixed density housing including duplexes and triplexes, which in many opinions including Real Estate Agents impacts the marketability of neighborhoods.
- PUD zoning has been removed from the Oregon City Comprehensive Plan since last month. It's my understanding that the PUD zoning has been abused by developers to increase density while avoiding expensive development costs. I believe that the proposed Jennifer Run Development is also utilizing the PUD zoning to avoid the expensive development costs associated to developing this site and the existing swale under the current R-10 zoning. The proposed development is donating an open space containing the existing swale in exchange for the proposed PUD zoning allowing higher density housing while avoiding the additional development costs.
- PUD requires careful planning (i.e. Fairview Village) to maintain the quality of life for all areas and create a community, which benefits the residents and city of Oregon City. The proposed development has not demonstrated careful planning instead has utilized the incentive of land donation for a city park to promote the proposed PUD. This is very evident as most responses from the Developer in the application for Jennifer Run refers to "Open Space", "Park", "Dedicated Land", "Future Park", etc.

#### <u>Traffic</u>

- Central Point Road currently does not provide sufficient infrastructure to support additional traffic and HIGH-density homes.
- Central Point at Warner Parrot intersection is currently exceeding capacity during the PM peak time and rated a service level of "F", the lowest rating. The current state of this intersection is already pushing drivers off of this main arterial for this area into surrounding neighborhoods endangering our children and the livability of the area. The

	24
Exhibit _	01

- proposed development will add an average of 412 additional daily trips to the already congested infrastructure.
- Central Point at Warner Parrot intersection is the main thoroughfare to access Hilltop and it businesses such as stores and restaurants. The increase in trips will exacerbate an already frustrating situation and increase the potential dangers to the existing residents.
- Central Point Road is in poor repair. The additional 412 trips generated will accelerate the continued deterioration of this road.

#### Public Transportation

- The proposed mixed density development DOES NOT provide convenient access to public transportation. Central Point Road, the main arterial for this area does not contain any public transportation or bus routes.
- Residents in this development must drive to the Park and Ride located at Linn Ave and Warner Parrot forcing traffic through a congested intersection or they can walk approx ½ mi across two neighborhoods to get to South End Rd at Salmonberry to the closest bus stop.

#### Variances

- Street Design-- The proposed development proposes the use of narrower streets with onstreet parking creating a hazard for the neighborhood and the surrounding community.
- Street Design The current design of Jennifer Loop poses a GREAT CONCERN in terms of safety. The design calls for 28 32 foot pavement width with on street parking (8' x 23') one side or in some cases two sides leaving little to no room to maneuver Emergency vehicles. This is a great concern as 10 of the 13 attached homes reside on this loop. A fire emergency in these attached homes could pose a significant threat to the neighborhood and the surrounding neighborhoods as the emergency vehicle access could be limited to a 12' WIDE STREET WITH A TURN!
- Street Design -- Entrance onto Jennifer Loop from Hazelnut Ave also poses a hazard as on-street parking is allowed on both sides of the street making the turn onto Jennifer Loop (32' wide road with on-street parking on both sides resulting in 16') tight and narrow for two cars, trucks and emergency vehicles.
- Street Design The proposed Jennifer Loop street design proposes on-street parking on
  one side and in some cases on two sides of the street which should according to the
  proposed plan allow sufficient traffic flow. Unfortunately there are "NO CONTROLS"
  mentioned or being implemented to eliminate the possibility of misuse/abuse of on-street
  parking increasing the risks in emergency situations.

#### Lighting

• Lighting – The proposed development is requesting a lighting variance to decrease lighting in the area, which will decrease the security within the area.

#### Setbacks

- Setbacks -- The current proposal is requesting setback variances that are completely out of character of the surrounding neighborhoods.
- Setbacks -- The requested setbacks provide for narrow spaces between homes along with the front and backs of some homes. The close proximity of these homes poses greater

fire danger and does not promote good livability. Oregon City has been known for these large lot sizes (R-10) and nice neighborhoods. The R-10 lots are what attracted many of my neighbors to Oregon City including myself. The approval of these setback variances will only promote these types of developments (smaller lots) and impact the overall livability of Oregon City.

#### On a Positive Note

It's my belief that the coexistence of mixed density housing can be accomplished utilizing zoning approaches that create communities of similar housing densities. This approach provides planned communities and an excellent opportunity for Oregon City to create a stable and sustainable tax base for Oregon City.

The proposed development is within an area of single-family detached homes. A very successful development was just completed ½ mi North of the proposed development. The Hazel Creek development contains single-family detached homes in the 200k – high 300k range which sold in a very short amount of time. This development compliments the surrounding neighborhoods and creates a stable and sustainable tax base for Oregon City. This type of development provides the level of quality homes Oregon City needs to increase its tax base and improve the livability of our community.

It's my belief that the need for higher density housing can be satisfied with the appropriate planning and development of higher density communities instead of the proposed approach of infilling existing single family detached neighborhoods with mixed density. The development of high-density housing communities provides a variety of advantages that would benefit all communities:

- Provides opportunities to locate these developments in close proximity to public transportation.
- Provides opportunities to locate these developments in close proximity to stores, shopping and restaurants.
- Provides an opportunity to develop a planned community environment that markets to and attracts targeted markets.
- Planned communities will develop a sustainable tax base, improve the livability of our community while meeting the needs for higher density housing.

Thank you for your consideration.

Sincerely,

Keith Crozier

11834 Skellenger Way, Oregon City, OR

Ph#503-347-8233

RECEIVED WITH

July 9, 2004

Oregon City Planning Division Oregon City Hall 320 Warner Milne Road Oregon City, Oregon 97045

RE: PD04-1 & WR04-09

City of Oregon City Planning Division:

We are very disturbed as a home owner that the City of Oregon City Planning Division would even consider development of the above said land use application. We are strongly against the development as a home owner that abuts the proposed development.

We are very concerned that this project is not even close to being compatible with the surrounding area and will have a detrimental impact to the existing home owners with in the area.

We are strongly urging the City of Oregon City Planning Division to deny this application.

We are strongly urging the City of Oregon City Planning Division to listen to the Neighborhood, the people of Oregon City and take action against this proposed project.

Sincerety.

Russell & Marlene Tuttle

19449 S. Vincent Drive

Mailene

Oregon City, Oregon 97045

Exhibit 35

July 11, 2004

Oregon City Planning Division Oregon City Hall 320 Warner Milne Rd. Oregon City, OR 97045

RE:PD04-1 and WR04-09

City of Oregon City Planning Division:

My wife and I are not against planned development in Oregon City. If Oregon City doesn't grow it will eventually die. We are strongly **AGAINST** the development that is tied in with the above said land use application.

The change in land use will make a huge impact on the traffic that uses Central Point Road. This road is not only being used by cars but is also used by people walking their dogs and just getting out for exercise. There are no continuous side walks on Central Point Road from Parish Road to Warner Milne Road. The development will make a dangerous situation even more dangerous with a large increase in traffic.

The proposed high density housing development doesn't meet the needs of the people it's intended to serve in this location. Mass transit, which would help to alleviate some of the traffic problems of high density housing in this area is rural in nature and would not meet the needs of it's residents.

We are not against a housing development on this property. We feel that the original zoning for this lot should be maintained and that it would be complementary to the existing neighborhood.

Thank you for your consideration of our opinion on this matter.

Sincerely.

Scott & Christine Flitcroft 19716 S. Derringer Dr. Oregon City, OR 97045 July 11, 2004

Members of the Oregon City Planning Commission

I would like to indicate my strong opposition to the proposal listed as file numbers PD 04-01 and WR 04-09 ("Jennifer Run").

The parcel of land in question is among R-10 neighborhoods. There are no attached housing tracts anywhere near this area and there would be no buffer zone between these attached dwellings and surrounding neighborhoods. Why suddenly drop an R-3.5 planned unit in the middle of R-10's?

I am opposed to changing the zoning on that parcel of land -which is located in the middle of an area containing R-10 lots – with any higher density lots.

The traffic impact alone would be grounds for denial of this proposal. Considering that neither Central Point Road nor Hazelgrove Drive/ Filbert Dr. is capable of handling the kinds of traffic that would be generated by a 43 unit PUD. Adding approximately 172 additional daily trips in this area of the city is beyond what the roads are currently designed to handle.

The zoning is currently R-10 on these lots and would best serve the community and the city if they were to remain as R-10. I have no problem if the applicant wishes to re-divide these parcels into R-10 lots that are more appropriate and would be welcomed in this neighborhood.

Sincerely

Marguerite O'Brien

19364 S. Hazelgrove Dr.

arquente D'Brien

Oregon City, OR 97045

July 11, 2004

Members of the Oregon City Planning Commission

I would like to comment on the proposal listed as file numbers PD 04-01 and WR 04-09.

Changing the zoning on parcels of land, which are located in the middle of an area that contains R-10 lots with homes, does not make sense. Why would anyone consider placing an R-3.5 planned unit development in the middle of an R-10 neighborhood?

The traffic impact alone would be grounds for denial of this proposal. Considering that neither Central Point Road or Hazelgrove Drive/ Filbert Dr. are capable of handling the kinds of traffic that would be generated by a 43 unit PUD. Recently the city found it necessary to install two speed bumps for traffic control purposes on Filbert Drive. Adding approximately 172 additional daily trips in this area of the city is beyond what the roads are currently designed to handle.

McLoughlin grade school would also struggle to handle additional students created by this development in addition to the other new R-8 developments the planning commission has already approved in this area of the city.

The zoning is currently R-10 on these lots and would best serve the community and the city if they were to remain as R-10. I have no problem if the applicant wishes to re-divide these parcels into R-10 lots that are more appropriate to his development needs.

Sincerely

Vom O'Bsien

Tom O'Brien

19364 S. Hazelgrove Dr.

Oregon City, OR 97045

Planning Dept- Oregon City
Re; File Number PD 04-01 and WR 04-09
Applicant/ MJF Engineering
Owner/ Mike Flury

July 11, 2004

Dear Tony Konkol (Contact Person),

I am Robert M. Hendricks Jr., owner of home at 19428 Hazel Grove, whose property backs on said development. I have lived here since Dec 8, 2000. We purchased this R-10 property with the knowledge that the land in question would be developed in the future and was also R-10 property. This was clearly the intent for future development and is in character with the surrounding properties. PUD'S are clearly an attempt to circumvent the existing zoning to the detrirment of existing owners. We, my wife and I, are not opposed to development of this property with-in the spirit of good faith in the existing zoning (R-10). To change this without a vote on zoning is an example of "government" running rough-shod over our rights. (Or do we not have any rights?) Mr. Flury heard our concerns at the meeting held to inform us of his intent but by his own admission, when questioned as to his response to our concerns, was not in anyway concerned with our input after 2 hours of community members expressing our disapproval and asking for reconsideration. What was the purpose of the meeting if his plan remained the same. (perhaps no significant change is grounds for denial like Walmart) The Park is a good idea, save the trees, but not at the price of small lots. common walls, poor access roads for fire protection from alley type access and narrow streets. We who live here have to live with your decision. Make the right one and deny this project and ask for full development in the character of this neighberhood R-10.

Sincerely.

Robert M Hendricks Jr.

Robert M. Skuducky

#### 04 JUL 12 AM 10: 06

HELDELYELL

Re Jennyer Rien PUD PDO4-01 and WRO4-09 We feel this is not the area for a PUD for the following reasons and it should stay goned at R 10. De Smaller lots Shreet he ox moballa ave or nearer, to be near stores and bus lines. 3 Lowers Value of sayacant properties (4) Hazel George Westleng fram's are Subdivisions the City can be proved of, Staying attractive because of larger lots (10,000 sqfs) & mo cars parked on the street. Smaller lots make the City lask like a Sliem. We have heard this comment from people Visiting from out State @ Maffix - Intersection Warner Parrott for example. Reep Oregon City an altractive City by not pulling in now houses or houses on 4,000 or 5,000 Sq ft lots. near the urban growth boundary. Gordon + Jana Courant 19763 S. Parist Ed Olega City, Exhibit\_ 40

July 10,2004

RE: Proposed Jennifer Run Subdivision File Number: PD 04-001 and WR 04-09

04 JUL 12 /M II: 07 From: Kevin Cayson 19441 S Vincent Dr. Oregon City: Oregon 97049 Server Structure 503-789-4570

I would like to submit the following issues of the Jennifer Run Subdivision to the record.

- 1. The P.U.D does not fit the character of the existing surrounding neighborhoods most are 8,000 to 13,000 square feet lots.
- 2. The proposed 10 foot wide landscape areas on the west side of hazelnut Ave, and adjacent to central point will be areas that will lack maintenance as is evidenced with the already unmaintained areas that are present along Central point rd connected to past developments. These areas become wastelands that are out of sight out of mind of homeowners once fences go up.
- 3. There are no environmental or development constraints that limit the use of these properties. The "Urban drainageway" or "Drainage Swail" that is often referred to as a reason for the PUD is not an area highlighted in the City of Oregon City's "Water Quality and Flood Management Areas Map" (Wetland Determination figure 3A city of Oregon City Wetland Inventory) as a "Water quality resource area overlay district" a wetland, a potential vegetation corridor, a wetland vegetated corridor, or a stream. The property is not in the Flood Management Overlay District for FEMA 100 year flood or in the 1996 flood inundation area. No wetlands were found on the site. The property is not subject to State wetland jurisdiction. The subject property is not a recognized water resource. The swail is simply storm water from the adjacent development, (Hazelgrove 4) that only flows when there are significant rains and could and should be piped and buried. The "Urban drainageway" or "Drainage Swail" is no excuse for the proposed PUD and it should be developed with 10,000 square ft lots.
- 4. The developers numbers on density in the surrounding neighborhoods are misleading and should be more carefully examined. I.E. Hazel grove, Westling Farms, Hogan's Bluff 4 all are large lot subdivisions.
- 5. All houses in the Hogan's Bluff subdivision were required to have fire suppression systems, this should also be a consideration in Jennifer Run as the narrow street widths and on street parking would not allow fire trucks to make the turns on Jennifer loop.
- 6. Sidewalks should be necessary along both sides of Hazelnut Ave.
- 7. With John Mcloughlin school within walking distance to this development the developer is placing far too much importance on the recreational aspect of the proposed park. The developer is required to have a minimum of 20% open space. By selling the city land for the proposed park and donating the 20% open space to the city he is doing nothing more than skirting the proposed "Homeowners Association" is responsibility to maintain the open space and transfers maintenance responsibility to the city.
- 8. The application does not meet Policy 9.1.4 This pud is not compatible with the allowed zoning an is not compatible with existing neighborhoods.
- 9. The density transfer within this PUD does not demonstrate compatibility with adjacent residential development.
- 10. The proposed homeowners association will bear a heavy burden of maintaining open spaces, private streets w/lighting, numerous landscape features, paved accessways, private alleys, private utilities, shared fences, tree plantings. Who will police the homeowners association? This seems like a convenient way to get around some street width issues and density problems by creating an association. With one of the listed goals being affordable housing I wonder how many people looking for affordable housing could afford costly association dues?
- 11. Alley off Jennifer loop serves too many lots, lots (34 thru 43)
- 12. On street parking on Jennifer Loop will cause a problem for large trucks trying to navigate the turns that are not radiused, street is only 28 feet in places and with on street parking on both sides of the street that number goes down to 12 feet it is not likely that with cars parked on both sides a Fire truck, garbage trucks, or delivery truck could make these turns.
- 13. Jennifer loop street has no radius on the inlet or outlet. It is a substandard street that should not be allowed be it public or private.

Kevin Cayson 07/10/04

Exhibit

PD04-1 & WR04-09 Jennifer Run

Mike Henry 11830 Skellenger Way Oregon City, OR 97045

To the City of Oregon City,

I am a resident of the Hazel Grove development adjacent to the proposed Jennifer Run PUD. I am opposed to the project designed by MJF Development.

We have been longtime residents of Clackamas County and Oregon City. Our home purchase on Skellenger Way was based on R-10 zoning for the area, wide streets, and a desire to not be in crowded housing.

The proposed PUD designation is being used to increase revenue per square foot for MJF Development. The obvious goal is to privatize any street that doesn't meet code, get around the R-10 zoning, & turn an unbuildable area over to the city to develop as a park (at taxpayer expense).

Jennifer Run is very close to the UGB and should be part of the transition from urban living to rural area. Jamming attached housing together with limited street parking, tight rear access, and small lot size doesn't make the urban to rural transition effectively.

Privatizing Jennifer Loop will result in a street too narrow for effective fire access, limit on street parking, and cause danger for children, pedestrians, bike riders, and other cars. Many homes in the adjacent developments have RVs, boats, extra cars and trucks, etc on their property. I would challenge MJF's assumption that the families in the attached housing would be empty nesters (with only one car). It is just as likely to be a mix of families, many of which will require additional street space for parking and maneuvering. Will Jennifer Run be designated no RVs, boats, or other trailers?

Most of the housing present and future in this area is zoned R-10. This patch of small lots and crowded housing doesn't fit the rest of the area. I simply don't understand how 43 lots in 6.74 acres can be within 80% of the R-10 designation. It must be the new math my kids are bringing home.

Every response in the application discusses the nonexistent park. MJF insists this 3.5 acre park will magically appear will nonspecific benefits. However, MJF plans on reducing lighting (again against the code) for this area. The unbuildable area is an intermittent stream (now called an open swale). My fear is that the park Oregon City is trying to get will end being a holding pond surrounded by cyclone fence. Will MJF provide rafts and rowboats for residents to enjoy this "park"?

It is obvious the PUD designation is being used to maximize revenue, bypass code, and give Oregon City the job of dealing with drainage. Oregon City and its residents will live with the housing developed here for a long time, let's make coherent, cohesive decisions instead of bypassing code for a few extra dollars per square foot.

Mike Honry

CEVILO BY

Exhibit 42

RE: PDOY-1 2nd WROY-09

To The planning Division:

I have lived here on eartest PT.Rd. for 27 years, when I moved here in vineteen south seven The TRED out Seee was country, in The Lest Ten Xears I have seen The Splendon of The wilderness deteriorate emenoly. please consider in any decision You make The detriament it will carse NO PROPERTY should be less than R-10, TWOULD NOT be conducive To a exterly wieghborhood, To much congestion, The consider The papulatation, is. The TRaffic, (Road conditions) The school capacity, ind weter Ind severye To = Zy withing of The cerenity, I could gom but Ill keep It short - Thank VOU. David J Ruston Exhibit 43

Oregon City Planning Commission Attn: Tony Konkol, Associate Planner City Hall - 320 Warner - Milne Road Oregon City, Or 97045

Dear Mr. Konkol,

My Husband and I have been residents of Oregon City for over 30 years. In 1995, we built the second home in the newly developed Westling Farms subdivision. At the time that we purchased our lot and subsequently when our home was being constructed we were excited that our new neighborhood had upscale homes and the surrounding neighborhood of Hazel Grove was also slated for similar dwellings. As the years have passed we watched with trepidation as housing development upon housing development has taken the once rural Oregon City into a more urbanized plan. Progress and development is inevitable as we have come to realize, and so far we have been quite pleased that the planning commission has had the foresight to realize that similar zoned dwellings in this particular neighborhood have created a beautiful and quiet place to live.

Recently it was brought to our attention by some very concerned neighbors that a planned unit development called Jennifer Run was being considered for an area zoned R10, adjacent to Hazel Grove, Payson Farms, and Parrish Glen. It is our understanding that the developer Mr. Mike Flury has asked the City of Oregon City for variances to be able to build attached homes on 4000 sq foot lots on the land he has purchased.

This would be completely out of keeping with the existing types and prices of properties in the surrounding neighborhoods.

Oregon City municipal code 17.60.20 (Variances—Grounds ) states:
A variance may be granted only in the event that <u>all</u> of the following conditions exist:

- A. That the literal application of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the surrounding area under the provisions of this title; or extraordinary circumstances apply to the property which do not apply to other properties in the surrounding area, but are unique to the applicant's site;
- B. That the variance from the requirements is not likely to cause substantial damage to adjacent properties, by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;

- C. The applicant's circumstances are not self-imposed or merely constitute a monetary hardship or inconvenience. A self-imposed difficulty will be found if the applicant knew or should have known of the restriction at the time the site was purchased; D. No practical alternatives have been identified which would accomplish the same purposes and not require a variance.
- E. That the variance requested is the minimum variance which would alleviate the hardship:
- F. That the variance conforms to the comprehensive plan and the intent of the ordinance being varied.

In reading this municipal code, I cannot see where all of these conditions exist to grant any variances for this development. It is my understanding that Mr. Flury paid an inordinate amount of money for this property and is trying to mitigate possible loss by cramming into this land as many lots as possible with cheap housing. The applicant should have known that this property was ZONED R10 prior to his purchase and planned and paid accordingly. I would suggest, as a builder he was probably fully aware of the zoning restrictions prior to his purchase, and offered to the City of Oregon City land for a park to help smooth the way to get proposed variances passed by the commission. Considering the fact that we cannot even fund a brand new fire station on Southend road (which has been vacant for over a year), why would the Oregon City planning commission or the Mayors office feel we should spend valuable resources on caring for another park. The existing road system in Oregon City is so antiquated and overloaded at this time, putting more and more housing in this area prior to fixing this problem, is certainly not the solution.

It is also states in this variance code (B) that variance from these requirements is not likely to cause substantial damage to surrounding neighborhoods. Loss of property value can be considered substantial damage to the surrounding neighborhood and should be taken into consideration by the planning commission. Allowing a development of property with home values anywhere from \$50,000.00 to \$100,000.00 less than the surrounding homes is not what I would consider good city planning. It would be similar to what the commission allowed when developers put in the Chiara Terrace neighborhood of Modular homes amongst higher priced houses. This certainly cheapened the whole neighborhood and lessened the values of the surrounding homes. We do not want this to happen to our neighborhood.

Oregon City as you well know has a historic past, and with this historic past it has an abundance of historic and older neighborhoods. These older areas of Oregon City generally have lower priced housing to accommodate the particular segment of the market that cannot afford \$200,000. Plus housing. I cannot for the life of me understand with this in mind why the planning commission would want to generate tract homes in amongst the neighborhoods of Westling Farms, Payson Farms, Parrish Glen, Southridge Meadows, Gentry Meadows, Hazelcreek Estates, Hazelgrove. Etc.

Municipal Code 17.60.010 (Authority), in part states: in granting variance, the planning commission may attach conditions to protect the best interests of the surrounding property or neighborhood. The planning commission by allowing Mr. Flury variances to build this particular type of housing is certainly not protecting the best interest of the surrounding neighborhood and homeowners. It is not the commission's job to be puppets to Portland Metro and overdevelop our city.

Meaning no dis-respect Mr. Konkol, but I also find it disturbing that I cannot find any members of the Oregon City planning commission that actually live in Oregon City. The Internet is a wonderful device and it can be quite useful when trying to locate someone. I hope I am wrong, but it doesn't appear that you are listed as a resident of Oregon City, nor is Dan Drentlaw - Community Development Director, Christina Robertson-Gardiner- Associate planner, or Sean Cook- Associate planner. Apparently at this time it is not a requirement of the planning commission to live in the city they are planning for. It certainly would be an asset to the Oregon City populace to have a planning commission that lived and paid taxes in our city, making the commission more sympathetic to the concerns of all neighborhoods. Our mayor and commissioners should certainly keep this in mind when appointing the planning commission or making changes to the existing commission.

In closing I urge the planning commission to soundly deny Mr. Flury's request for variances for this property. I believe that he should, like all of the developers before him in this area, be held to the higher standard and build homes with the same quality and size that are favorable to the surrounding neighborhood. R10 means R10, and that sir is a complete sentence.

Sincerely Yours,

Linda Brandow & Robert Brandow

Hende Brendour

19416 Westling Drive

Oregon City, Or 97045

Cc: Mayor of Oregon City - Alice Norris

Commission President - Tom Lemmons

Commissioner - Doug Neeley

Commissioner - Bob Bailey

Dan Drentlaw - Community Development Director

Christina Robertson - Gardiner - Associate Planner

Sean Cook - Associate Planner

Colin Clark - Homeowner - Hazelgrove - Westling Farms Neighborhood Association

Mr. Charles Swindels - Attorney at Law

Possible facilities for this proposed park site should include:

- Multi-use grass area with a backstop and portable goals (practice use only)
- Tennis court
- Children's playground (tot lot and youth equipment)
- Multi-use paved court for basketball, volleyball, etc.
- Picnic area with shelter building
- Paved internal pathway system



#### Hazel Grove Rark (Proposed)

Similar to the proposed Forest Ridge site, this proposed park site is located in the southern portion of the planning area, but east of South End Road. This area currently lies adjacent to the existing City limits, but within the City's urban growth boundary. Like most of the south end neighborhoods, the terrain is fairly level which offers a number of opportunities for development. Currently, the only recreational opportunities in the area are located at McLoughlin Elementary School. For this reason, it is critical that the City acquire a park as soon as possible. This will require coordination between the City and Clackamas County.

It is recommended that a five-acre neighborhood park site be acquired in this area to serve this neighborhood. This park should also be linked to the Hazelwood Greenway (OS-50) and Central Point Trail (T-12).

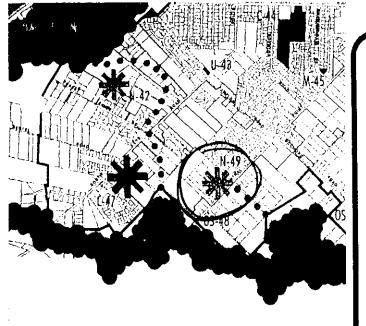
Possible facilities for this proposed park site should include:

- Multi-use grass area with a backstop and portable goals (practice use only)
- Children's playground (tot lot and youth equipment)
- Multi-use paved court for basketball, volleyball, etc.
- Picnic area with shelter building
- · Paved internal pathway system

#### Jesse Court Park Site N-52

Jesse Court Park is an existing undeveloped park located off Jesse Court in the southern portion of the City. This site was recently acquired from the School District and is intended to serve the immediate area when developed.

Exhibit 45



# PARK AND RECREATION MASTER PLAN

THE STATE OF THE S

# CITY OF OREGON CITY

# Legend: City Limits Urban Growth Boundary Oregon City Park and Recreation Facilities County Lands and Facilities Public School Facilities Private School/Church Facilities Clackamus Community College Oregon City Cemeteries Other Cemeteries Proposed Community Parks Proposed Miscellaneous Facilities Proposed Miscellaneous Facilities Proposed Open Space Areas

**FACILITY PLAN** 



For (	Office	Use (	Only:			•	•
□ Pho	nc 🗆 M	eeting	□ Pr	e-App	<b>₽</b> PR	□ Other	
□ T!	□ NC	St St	ub/Par	□ Ot	her		

# Clackamas County Fire District #1 Fire Prevention Office

### PROJECT CONTACT/ACTION SUMMARY

Project Name	Jennifer Run		Date 7-16-04
Contact Name			Phone
Address John!	fer Lap + Har 14-01	clant	Occup
File No PD - C	14-01	Fire Marsha	al M. Childs
Applicable Items:			
☑ Water Supply	☐ Sprinklers	Access	
☐ Alarm Systems	☐ Haz Mat	□ FLS	
Notes			
Access easen	vent to lots 14	1-19 reeds	30' inside padius
Curve, 20	' wide paved s	urface.	30' inside radius
Access roads.	Serving Lots 34	4, 14-19, 1	+2 reed no Darking
Signs per	UFC Article 9,	both side:	s alternating 50'
spacing.	Street mainter	vance agreen	ent must include
Maidenance o	t signage and	parking enf	+2 need no parking s afternating 50' ent must include or cement by residents
Hydrant e	Hazelmet Are	entrance No	+ required due to
existing 1	hydrant e vina	ent + Hazli	rut
·	•		
Sprinklers ,	required 23-2	17, 38-43	B Luc to Page of
<32' Street	F.'		
	Clackamas	County Fire Distric Prevention Office	c##
2020	SE Oak Chana Plud	Teremon Office Milandia Oposs	Pybibit 46

	LONG KOIKO
ROUNT	
DIVISION BATER	Road - Oregon City, OR 97045-0304
	391 Fax: (503) 722-3880
	SMITTAL
A AVERTON STREET	23, 2004
	MAIL-OUT DISTRIBUTION
	D CICC
	neighborhood association (n.a.) Chair
	N.A. LAND USE CHAIR
	CLACKAMAS COUNTY - Joe Merek
Nic a Several	CLACKAMAS COUNTY - Bill Spears
	ODOT - Sonya Kazen
OMNERTS & T	ODOT - Gary Hunt SCHOOL DIST 62
	o TRI-MET
Charles the Control of the Control o	METRO - Brenda Bernards
	OREGON CITY POSTMASTER
<b>人们是</b>	D DLCD
RETURN COMMENTS TO:	Tony Konkol, Associate Planner
COMMENTS DUE BY:	July 14 <sup>th</sup> , 2004
HEARING DATE:	July 26 <sup>th</sup> , 2004
HEARING BODY:	Staff Review; TYPE III - XX PC; CC
N REFERENCE TO	
FILE # & TYPE:	PD 04-01 & WR 04-09
PLANNER:	Tony Konkol, Associate Planner
APPI ICANT:	Centex Homes & Oregon City Parks and Recreation
RL JEST:	The applicant is requesting approval of:
	1) A Planned Unit Development with 43 dwelling units (PD 04-01); and
OCATION	2) Water Resource Determination (WR 04-09). The sites are identified as Map 3S-1E-12D, Tax Lot 300, 301, 302, 400, 401, 402, 500 and 600
LOCATION:	(12.01 acres and zoned R-10 Single-Family Dwelling District). The site are located at 19599,
	19619, 19623, No Site Address, 19631, 19645, 19665 and 19679 Central Point Road.
This application material is re	ferred to you for your information, study and official comments. If extra copies are required,
lease contact the Planning De	epartment. Your recommendations and suggestions will be used to guide the Planning staff when
eviewing this proposal. If you	u wish to have your comments considered and incorporated into the staff report, please return the
• -	o facilitate the processing of this application and will insure prompt consideration of your
ecommendations. Please chec	ck the appropriate spaces below.
The propo	osal does not The proposal conflicts with our interests for
- · ·	vith our interests. the reasons stated below.
• • •	osal would not conflict our The following items are missing and are
	if the changes noted below needed for review:
are, include	
1//////////////////////////////////////	Voler Rain ac construct a more natural facility inside the
detention tacility	could be better than the underground detention especially it
7. 7	veloped site to the North (TL 301), 15 going to require detention.
The park of under	1 Signed M. M. Jema 7/15/04
a regional ptacili	Title / Operations Manager
13 one preference	
PLEASE RETURN	YOUR COPY OF THE APPLICATION AND MATER
	Exhibit 47

## MEMORANDUM City of Oregon City

DATE:July 1, 2004
TO: John Lewis, Public Works Operations Manager SUBJECT: Comment Form for Planning Information Requests
File Number PD 04-01 & WR 04-09
Name/Address:19631, 19645, 19665 & 19679 Central Point Road Proposed 43-lot subdivision called JENNIFER RUN
Water:
Existing Water Main Size = 12" along Central Point Road
Existing Location =8" along Vincent Drive and Hazelnut Avenue (See attached map)
Upsizing required? Yes No_X Size Required _ See Water Master Plan inch
Extension required? Yes_X No
Looping required? Yes X No Per Fire Marshal
From:Central Point Road
To:_ connect to Hazelnut Avenue & Vincent Drive
New line size =8" DI
Backflow Preventor required? Yes No_X
Pressure Reducing Valve required for 70 psi or higher.
Clackamas River Water lines in area? Yes NoX
Easements Required? Yes No  See Engineer's comments
See Engineer's comments  Recommended easement widthft.
Water Divisions additional comments NoYes_X Initial_eli Date_7/1/04 Consult Water Master Plan.
Water comments are made on the preliminary plan sheet #3. Need valves at all tees. Try to eliminate bends in the water main whenever possible to avoid loss of flow. Keep proposed H2O separate from existing H2O system until BAT & PSI tests passes. Any existing water services that will not be used in this project shall be cut and capped at the water main. See attached water map for details.

Page 1

Comment Sheet



	-			
	ě			

#### **CITY OF OREGON CITY**

Planning Commission

320 Warner Milne Road Tel (503) 657-0891 OREGON CITY, OREGON 97045 FAX (503) 722-3880



Complete: March 30, 2004 120-Day: July 28, 2004

FILE NO .:

WR 04-09

**APPLICATION TYPE:** Type III

HEARING DATE:

July 26, 2004

7:00 p.m., City Hall 320 Warner Milne Road Oregon City, OR 97045

APPLICANT:

Mike Flury – MJF Development

1616 SE Reedway Street Portland, Oregon 97202

REPRESENTATIVE:

Sisul Engineering, Inc. - Tom Sisul

375 Portland Avenue Gladstone, Oregon 97027 Planning Livability - Chris Cocker

3452 NW Vaughn Street Portland, Oregon 97210

REQUEST:

The applicant is requesting a Water Resource determination and mitigation plan

approval in association with a Planned Unit Development application (PD 04-01).

LOCATION:

The sites are identified as Map 3S-1E-12D, Tax Lot 300, 301, 302, 400, 401, 402, 500 and 600 (12.01 acres and zoned R-10 Single-Family Dwelling District). The site are located at 19599, 19619, 19623, No Site Address, 19631, 19645, 19665

and 19679 Central Point Road respectively.

REVIEWER:

Tony Konkol, Senior Planner

Dean Norlin, Senior Engineer

**RECOMMENDATION:** Approval with conditions

DECISION

Chapter 17.49 WR WATER RESOURCES OVERLAY DISTRICT

CRITERIA: Chapter 17.50 ADMINISTRATION AND PROCEDURES

PROCESS: Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include conditional use permits, preliminary planned unit development plans, variances, code interpretations, similar use determinations and those rezonings upon annexation under Section 17.06.050 for which discretion is provided. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission or the historic review board hearing is published and mailed to the applicant, recognized neighborhood association and property owners within three hundred feet. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission or the historic review board, all issues are addressed. The decision of the planning commission or historic review board is appealable to the city commission, on the record. The city commission decision on appeal from the historic review board or the planning commission is the city's final decision and is appealable to LUBA within twenty-one days of when it becomes final.

IF YOU HAVE ANY QUESTIONS ABOUT THIS DECISION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 657-0891

#### BASIC FACTS:

- 1. Location. The subject site is located in southwest Oregon City on the northwest side of Central Point Road and north of the intersection of Central Point and White Lane. The sites are identified as Map 3S-1E-12D, Tax Lot 300, 301, 302, 400, 401, 402, 500 and 600 (12.01 acres and zoned R-10 Single-Family Dwelling District). The site are located at 19599, 19619, 19623, No Site Address, 19631, 19645, 19665 and 19679 Central Point Road respectively (Exhibit 1).
- 2. **Existing Conditions.** The 12.01-acre (10.35-acres after a lot line adjustment and property acquisition by the City) site is comprised of 8 properties with 5 existing homes and 6 accessory buildings located along Central Point Road. The southern three-quarters of the site is a field used for grazing or hay production and the northern one-quarter of the site is forested. There is an existing drainage crossing from east to west across the northern section of the properties and several large Oregon white oaks and Douglas firs to the north of the drainage. The remainder of the site is dominated by grasses and with minimal slopes between 2% and 6% (Exhibits 2 and 3).

The site is identified within the Oregon City Water Resource Overlay District and the Wet Soils-High Water Table area on the Geologic Hazards map of the Canby and Oregon City Quadrangles. Oregon. The site is located between two subdivisions, one upslope to the northeast and one down slope to the southwest. Storm water drainage from the subdivision to the northeast outlets into a swale that flows through the subject property a few feet north of Vincent Street. The drainage enters the underground stormwater system at Westwood Drive.

- 3. **Zoning and surrounding Land Uses.** The subject site, which is located in the Hazel Grove / Westling Farms Neighborhood, is zoned R-10 single-family dwelling district. Properties surrounding the site are single-family homes located in predominantly within Oregon City and a few homes located within Oregon City's Urban Growth Boundary but under Clackamas County jurisdiction. The applicant has summarized the surrounding zoning and jurisdiction on Page 4 of Exhibit 2.
- 4. **Project Description.** The applicant, MJF Development, is proposing a Planned Unit Development (PUD) on the subject site (Exhibit 4). The application includes a proposal to transfer ownership of the northern one-third of the property to the Oregon City Department of Parks. There is an intermittent stream located on the site. The applicant is proposing to construct a road across the intermittent drainage and provide enhancement of the existing water resource located on the site.
- 5. **Public Notice.** Notice of this proposal was sent to property owners within three hundred feet of the subject property on June 16, 2004 and various City departments and other agencies on June 32, 2004 and July 8, 2004. The subject site was posted and the Planning Commission Hearing was advertised in the Clackamas Review on June 23, 2004 requesting comments.

The following comments were received concerning the water resource application:

Mr. Dotson of 19679 Central Point Road, Oregon City, OR 97045 (Exhibit 8);

Mr. Johnson of 19882 South White Lane, Oregon City, OR 97045 (Exhibit 9):

Ms. Crawford of 11822 Skellenger Way, Oregon City, OR 97045 (Exhibit 10);

Mr. and Mrs. Kirkpatrick of 19429 Vincent Drive, Oregon City, OR 97045 (Exhibit 11);

Mrs. O'Brien of 19364 Hazel Grove Drive, Oregon City, OR 97045 (Exhibit 12);

Mr. O'Brien of 19364 Hazel Grove Drive, Oregon City, OR 97045 (Exhibit 13);

Mr. Hendricks, no site address provided (Exhibit 14);

Mr. Cayson of 19441 Vincent Drive, Oregon City, OR 97045 (Exhibit 15); and

Mr. Henry of 11830 Skellenger Way, Oregon City, OR 97045 (Exhibit 16);

#### III. DECISION-MAKING CRITERIA

#### CONSISTENCY CRITERIA

#### Municipal Code

Chapter 17.49 WR WATER RESOURCES OVERLAY DISTRICT

Chapter 17.50 ADMINISTRATION AND PROCEDURES

# Chapter 17.49 WR WATER RESOURCES OVERLAY DISTRICT 17.49.030 Applicability.

Finding: This site has been identified as being within the Water Quality Resource Area Overlay District and having a water quality feature (stream) on the subject site. The applicant has proposed the construction of a roadway adjacent to the City's Water Quality Resource Area Overlay District and over the water source and the enhancement/restoration of the existing resource. The water source is the result of stormwater drainage outfalls from the subdivision to the northeast of the subject site. The southwest section of the subject site appears to be the headwater of a stream that was piped as part of the development of the PUD to the southwest of the subject site. The standards of this section are applicable.

#### 17.49.040 Administration.

Finding: The City's Water Quality and Water Management Map identify the southwester section of the subject site within the Water Quality Resource Area Overlay District (Exhibit 5). This area drains into Newell Creek and then Abernethy Creek.

1. The Oregon City local wetland inventory, as amended, shall be a reference for identifying areas subject to the water quality resource area overlay district

Finding: The Oregon City Local Wetland Inventory was used as a source to the City Water Quality Resource District Map, which identified the stream on the southwestern section of the site (Exhibit 6).

2. Applicants are required to provide the city with a field-verified delineation of the water quality resource areas on the subject property as part of their application.

Finding: The applicant provided a field-verified delineation and a conceptual mitigation plan for the water quality resource area. The Wetland Delineation was prepared by Mr. Lorenz, Ph.D of the Hidden Spring Consulting, Inc. and is dated March 2004, (Exhibit 2). A conceptual mitigation plan was also prepared by the same consulting firm and is also dated March 2004 (Exhibit 3). This standard is met.

3. The standards for development contained in this chapter are applicable to areas located within a water quality resource area. Applications for development on a site located in the water quality resource area overlay district may request a determination that the subject site is not in a water quality resource area and this is not subject to the standards of Section 17.49.050.

Finding: The applicant has not requested a determination that the site is not located within the Water Resource Overlay District This standard is not applicable.

- 4. Compliance with Federal and State Requirements.
  - a If the proposed development requires the approval of any other governmental agency, such as the Division of State Lands or the U.S. Army Corps of Engineers, the applicant shall make application for such approval prior to or simultaneously with the submittal of its development application to the city engineer. The planning division shall coordinate city approvals with those of other agencies to the extent necessary and feasible. Any permit issued by the city pursuant to this chapter shall not become valid until other agency approvals have been obtained or those agencies indicate that such approvals are not required.
  - b The requirements of this chapter apply only to water quality resource areas within the water quality resource area overlay district. If, in the course of a development review, evidence suggests that a property outside the District may contain a Title 3 wetland or other protected water resource, the provisions of this chapter shall not be applied to that development review. However, the omission shall not excuse the applicant from satisfying any state and federal wetland requirements which are otherwise applicable. Those requirements apply in addition to, and apart from the requirements of the city's comprehensive plan and this code. Additionally, the standards of Section

17.49.090 shall be applied to the resource and, if the standards of Section 17.49.090 are met, the district boundaries shall be amended

Findings: The applicant has proposed direct impacts within the waterway. The applicant shall provide any required U.S. Army Corps of Engineers or DSL permit to the City prior to the issuance of a grading permit on the site if they are applicable.

This standard is not met. The applicant can satisfy this criterion by complying with Conditions of Approval 1 and 2.

#### 17.49.050 Water quality resource area standards.

This section applies to water quality resource areas within the water quality resource area overlay district.

- A. The purpose of this section is to protect and improve the beneficial water uses and functions and values of water quality resource areas.
- B The water quality resource area is the vegetated corridor and the protected water feature. The width of the vegetated corridor is specified in Table 17.49-1. At least three slope measurements along the water feature, at no more than fifty-foot increments, shall be made for each property for which development is proposed. Depending on the slope measurements, the width of the vegetated corridor may vary.

Table 17.49-1 WIDTH OF VEGETATED CORRIDOR

Protected Water Feature Type (see definitions)	Slope Adjacent to Protected Water Feature	Starting Point for Measurements from Water Feature	Width of Vegetated Corridor (see Note 1)
Anadromous fish-bearing streams	Any slope	• Edge of bankfull flow	200 feet
Intermittent streams with slopes less than 25 percent and which drain less than 100 acres	< 25 percent	• Edge of bankfull flow	15 feet
All other protected water features	< 25 percent	<ul> <li>Edge of bankfull flow</li> <li>Delineated edge of Title</li> <li>3 wetland</li> </ul>	50 feet
	≥ 25 percent for 150 feet or more (see Note 2)		200 fect
	≥ 25 percent for less than 150 feet (sec Note 2)		Distance from starting point of measurement to top of ravine (break in ≥25 percent slope) (See Note 3) plus 50 feet.

#### Notes:

- 1 Required width (measured horizontally) of vegetated corridor unless reduced pursuant to the provisions of Section 17.49.050(1).
- 2. Vegetated corridors in excess of fifty feet apply on steep slopes only in the uphill direction from the protected water feature.
- 3 Where the protected water feature is confined by a ravine or gully, the top of the ravine is the break in the  $\geq 25$  percent slope.

Findings: This standard is met. The applicant identified the resource as "Intermittent streams with slopes less than 25 percent and which drain less than 100 acres" and has proposed a 15-foot vegetated corridor around the stream and associated wetlands on the site (Exhibit 2, Page 12 and Figure 4a).

#### C Uses Permitted Outright

- 1 Stream, wetland, riparian and upland enhancement or restoration projects; and farming practices as defined in ORS 30.930 and farm uses, excluding buildings and structures, as defined in ORS 215 203;
- 2. Placement of structures that do not require a grading or building permit,

- 3 Routine repair and maintenance of existing structures, roadways, driveways, utility facilities, accessory uses and other development Findings: The applicant has proposed Stream, wetland, riparian and upland enhancement or restoration projects, which is a permitted use.
- D. Uses Under Prescribed Conditions.
  - 1. Repair, replacement or improvement of utility facilities where the disturbed portion of the water quality resource area is restored and vegetation is replaced with vegetation from the Oregon City native plant list.
  - 2. Additions, alterations, rehabilitation, or replacement of existing structures that do not increase existing structural footprint in and will have no greater material adverse impact on the water quality resource area where the disturbed portion of the water quality resource area is restored using native vegetative cover

3 Public capital improvement projects that comply with the development standards of this chapter. The city engineer

will determine compliance with water quality resource area standards.

The applicant has proposed the construction of a roadway across the water feature, though at the location of the roadway on the site is not located within the city's Water Quality Resource Area Overlay District.

- E Provisional Uses The following uses are allowed in the water quality resource area subject to compliance with the application requirements and development standards of subsections G and H of this section
  - 1. Any use allowed in the base zone, other than those listed in subsection C and D of this section;
  - 2. Measures to remove or abate nuisances, or any other violation of state statute, administrative agency rule or city ordinance:
  - 3 Roads to provide access to protected water features or necessary ingress and egress across water quality resource
  - 4. New public or private utility facility construction;
  - 5. Walkways and bike paths (see subsection (H)(5) of this section),
  - 6. New stormwater pre-treatment facilities (see subsection (H)(6);
  - 7. Widening an existing road adjacent to or running parallel to a water quality resource area;
  - 8. Additions, alterations, rehabilitation or replacement of existing structures, roadways, accessory uses and development that increase the structural footprint within the water quality resource area consistent with subsection (H)(7) of this section.

The applicant has proposed provisional use 3, roads to provide access to protected water Findings: features or necessary ingress and egress across water quality resource areas. As stated above, the location of the road is not located in the Water Quality Resource Area Overlay District; however, the roadwill cross the water source that is being delineated. The water source is the result of the stormwater outfalls from the subdivision development to the northeast of the subject site. The Water Quality Resource Area Overlay District is located on the southwest section of the subject site and was associated with a stream that existed prior to the Parrish Glen PUD development. The Parrish Glen PUD was allowed to pipe the existing resources on the site.

The applicant has proposed the reestablishment and rehabilitation of the pre-existing water resource on the subject site. The applicant has extended the proposed vegetated corridor outside the existing Water Quality Resource Area Overlay District to rehabilitate the entire water source located on the site, thereby increasing the vegetated corridor. It is apparent that the resource has been negatively impacted by the piping of the resource on the southwest side and the stormwater outfall to the northeast of the site that has added additional water to the system and created a channel on the subject site that appears to function as an intermittent stream.

F Prohibited Uses.

- 1. Any new development, other than that listed in subsections C, D and E;
- 2. Uncontained areas of hazardous materials as defined by the Department of Environmental Quality.

No prohibited uses are proposed. Findings:

G. Application Requirements. Applications for provisional uses in the water quality resource area must provide the following information in a water resources report in addition to the information required for the base zone.

A topographic map of the site at contour intervals of five feet or less showing a delineation of the water quality resource area, which includes areas shown on the city water quality and flood management areas map

**Findings:** This criterion has been met (Exhibit 2, Figure 1).

2 The location of all existing

**Findings:** This criterion has been met (Exhibit 7).

3 Location of Title 3 wetlandsWhere Title 3 wetlands are identified, the applicant shall follow the Division of State Lands recommended wetlands delineation process. The delineation shall be prepared by a professional wetlands specialist:

**Findings:** This criterion has been met (Exhibit 2, Figure 4a).

4. An inventory and location of existing debris and nuisance plants;

**Findings:** This criterion has been met (Exhibit 2, Page 9).

5 An assessment of the existing condition of the water quality resource area in accordance with Table 17.49-2;

**Findings:** This criterion has been met in the application (Exhibit 2, Page 12).

6 An inventory of vegetation, including percentage ground and canopy coverage;

**Findings:** This criterion has been met in the application (Exhibit 3, Page 1).

7 An analysis of the impacts the proposed development may have on the water quality resource area. This discussion shall take into account relevant natural features and characteristics of the water quality resource area, including hydrology, soils, bank stability, slopes of lands abutting the water resources, hazards of flooding, large trees and wooded features. The discussion shall identify fish and wildlife resources that utilize or inhabit the impact area in the course of a year and the impact of the proposed development on water resource values;

Findings: The existing water resource corridor is approximately 200 yards long, is boxed between two subdivisions and there is no continuity to other vegetated water resources. Thickets of Himalayan blackberry grow along the edge of the intermittent stormwater channel and provide some food (seasonal) and habitat to a limited number of birds. The intermittent flows, a function of storm events, and lack of pools, lack of native vegetation and lack of woody structure provides minimal if any habitat for amphibians and reptiles. This criterion has been met (Exhibit 3, Page 2).

8 An analysis of the impacts the proposed development will have on the water quality of affected water resources, taking into account relevant natural features and characteristics of the water quality resource area,

Findings: The project impacts would be minimal because the existing man made water comidor provided minimal habitat, the resource is already a fragmented and degraded corridor and the existence of a water quality pond downstream of the site that all water will pass through prior to entering the natural stream. This criterion has been met (Exhibit 3, Page 2).

9. An analysis of measures which feasibly can be taken to reduce or mitigate the impact of the proposed development on the water quality resource area and their vegetated corridors, including proposed drainage and erosion control measures, and an analysis of the effectiveness of these measures:

Findings: The applicant has indicated that the increased stormwater runoff and additional pollutants can be mitigated by passing water through a water quality pond. Such a facility already exists in the flow of the stormwater runoff. Enhancing the degraded vegetated corridor can mitigate the direct impacts of the proposed road crossing and establishing a vegetated corridor with native trees and shrubs will diversity the currently degraded habitat. The increased vegetated corridor will also provide additional storm quantity and quality for the pre-existing subdivisions to the northeast of the subject, including one that does not have any storm quality or quantity facilities. This criterion has been met (Exhibit 2).

10 The water resources report shall be prepared by one or more qualified professionals including a wetlands biologist or hydrologist whose credentials are presented in the report,

Findings: The report was prepared by Jay R. Lorenz, Ph.D., from Hidden Spring Consulting, Inc. This criterion is met.

11 Alternatives analysis demonstrating that.

- a No practicable alternatives to the requested development exist that will not disturb the water quality resource area.
- b Development in the water quality resource area has been limited to the area necessary to allow for the proposed use,
- c. The water quality resource area can be restored to an equal or better condition in accordance with Table 17.49-2.
- d. It will be consistent with a water quality resource area mitigation plan,
- e An explanation of the rationale behind choosing the alternative selected, including how adverse impacts to resource areas will be avoided or minimized and mitigated,

Findings: Impacts to the water quality resource area on the site have been minimized by reducing the width of the street through this area to reduce the encroachment of the facility into the resource. Impacts to the vegetated corridor may be further reduced by minimizing grading and maximizing the area available for native plantings. The applicant has proposed to enhance the degraded vegetated corridor to a good condition per the OCMC. The enhancement will include the removal of invasive species in the vegetated corridor and replacement with native species. The applicant has also proposed to redesign the existing system to reduce the flooding impacts that are currently occurring on the properties to the southeast of the subject site. This criterion is met.

- 12. A water quality resource area mitigation plan shall be prepared by a registered professional engineer, landscape architect, biologist, or other person trained or certified to determine that the vegetated corridor meets the requirements of Table 17.49-2 and shall contain the following information:
  - a A description of adverse impacts that will be caused as a result of development,
  - b An explanation of how adverse impacts to resource areas will be avoided, minimized, and/or mitigated in accordance with, but not limited to, Table 17 49-2,
  - c. A list of all responsible parties including, but not limited to, the owner, applicant, contractor or other persons responsible for work on the development site,
  - d A map showing where the specific mitigation activities will occur,
  - e A maintenance program assuring plant survival for a minimum of three years,
  - f An implementation schedule, including timeline for construction, mitigation, mitigation maintenance, monitoring, reporting and a contingency plan. All in-stream work in anadromous fish-bearing streams shall be done in accordance with the Oregon Department of Fish and Wildlife in-stream timing schedule

Findings: The applicant provided a mitigation plan and schedule for the enhancement of the area (Exhibit 3, Page 4). Mitigation activities will the removal of all Himalayan blackberries in the vegetated corridor, the plating of native trees and shrubs, the restoration of the native vegetation along the underground stormwater corridor and the establishment of a maintenance and monitoring program. This criterion is met as proposed.

- H. Development Standards. Applications for provisional uses in the water quality resource area shall satisfy the following standards:
  - 1. The water quality resource area shall be restored and maintained in accordance with the mitigation plan and the specifications in Table 17.49-2.

Findings: The project will include restoration and maintenance in accordance with the mitigation plan (item 12, above) and the specifications of Table 17.49-2 (see item 11 above).

2. Existing vegetation shall be protected and left in place. Work areas shall be carefully located and marked to reduce potential damage to the water quality resource area. Trees in the water quality resource area shall not be used as anchors for stabilizing construction equipment

Findings: The applicant has proposed to remove the existing vegetation, which is dominated by Himalayan blackberry and replace with native species. The applicant shall ensure that all trees will be protected and not used to anchor or stabilize the work equipment.

# This standard is not met. The applicant can satisfy this criterion by complying with Condition of Approval 3.

Where existing vegetation has been removed, or the original land contours disturbed, the site shall be revegetated during the next planting season. Nuisance plants, as identified in the Oregon City nuisance plant list, may be removed at any time. Interim erosion control measures such as mulching shall be used to avoid erosion on bare areas. Removed nuisance plants shall be replaced with plants from Oregon City's native plant list by the next planting season.

Findings: The project will include restoration and maintenance in accordance with the mitigation plan (item 12, above) and the specifications of Table 17.49-2 (see item 11.c and 11.d above). This standard is met as proposed.

3 Prior to construction, the water quality resource area shall be flagged, fenced or otherwise marked and shall remain undisturbed except as allowed in subsection E of this section. Such markings shall be maintained until construction is complete

**Findings:** This applicant shall clearly mark the work boundaries and clearing limits.

# This standard is not met. The applicant can satisfy this criterion by complying with Condition of Approval 3.

5 Walkways and bike paths:

Findings: The applicant has not proposed the construction of a walkway or bike path. This standard is not applicable.

6. Stormwater quantity control and quality control facilities

Findings: The applicant has not proposed a stormwater facility within the vegetated corridor, rather the outfall pipe that must cross the resource to tie into the existing pipe system in Westwood Drive. The applicant's stormwater facility is located in Jennifer's Loop. This standard is not applicable.

7 Additions, Alterations, Rehabilitation and Replacement of lawful structures.

**Findings:** The applicant has not proposed additions, alterations, rehabilitation, or replacement of lawful structures. This standard is not applicable.

8 Off-Site Mitigation

**Findings:** The applicant has proposed on site mitigation. This standard is not applicable.

I. Vegetated Corridor Width Reduction A reduction in the width of the vegetated corridor required by Table 17.49-1 may be allowed as part of a Type III proceeding

Findings: The applicant has not requested a vegetated corridor width reduction

#### 17.49.090 Map Administration.

Findings: City staff handles modifications to water resource boundaries relying on the applicant's Water Resource Report findings and maps to establish minor modifications to the boundary. A significant error would be processed under this Map Amendment process.

#### (E) Chapter 17.50 ADMINISTRATION AND PROCEDURES

17.50 050 Preapplication conference and neighborhood meeting.

A Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with city staff to discuss the proposal. The applicant may also schedule and attend a meeting with the city-

recognized neighborhood association in whose territory the application is proposed.

- B Preapplication Conference To schedule a preapplication conference, the applicant shall contact the planning manager, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the city, which identifies the proposed land uses, traffic circulation, and public rights-of-way. The purpose of the preapplication conference is to provide staff from all affected city departments with a summary of the applicant's development proposal and an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The planning manager shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations. Following the conference, the planning manager shall provide the applicant with a written summary of the preapplication conference.
- C. Affected Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.
- D. Notwithstanding any representations by city staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the city of any standard or requirement.
- E A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the city will accept a permit application. The planning manager may waive the preapplication requirement if, in the manager's opinion, the development does not warrant this step. (Ord. 98-1008 §1(part), 1998)

Finding: The applicant held a pre-application meeting with staff, identified as PA 03-70, on January 14, 2003 prior to submitting the application. The applicant held a voluntary meeting with the neighborhood prior to submitting the application. This criterion is met.

17 50 060 Application requirements.

Finding: The property owner has initiated the permit application process.

17 50.070 Completeness review and one-hundred-twenty-day rule.

Finding: The applicant submitted the application on May 4, 2004. The City deemed the application complete on June 3, 2004.

17 50 090 Public notices. (d)

Finding: Notice of this proposal was sent to property owners within three hundred feet of the subject property on June 16, 2004 and various City departments and other agencies on June 32, 2004 and July 8, 2004. The subject site was posted and the Planning Commission Hearing was advertised in the Clackamas Review on June 23, 2004 requesting comments.

17 50.100 Notice posting requirements.

Finding: The City has provided the required notice. See (d) above.

17.50.130 Conditions of approval and notice of decision Finding: The City will provide notice of this decision and has imposed reasonable conditions of approval.

17.50.140 Performance guarantees. (g)

Finding: The applicant has not proposed to post any performance guarantees at this time.

Conclusion and Decision

Based on the analysis and finding as described above, staff recommends that the proposed application for the Water Quality Resource Area delineation and mitigation plan can be approved by the Planning Commission with the recommended Conditions of Approval.

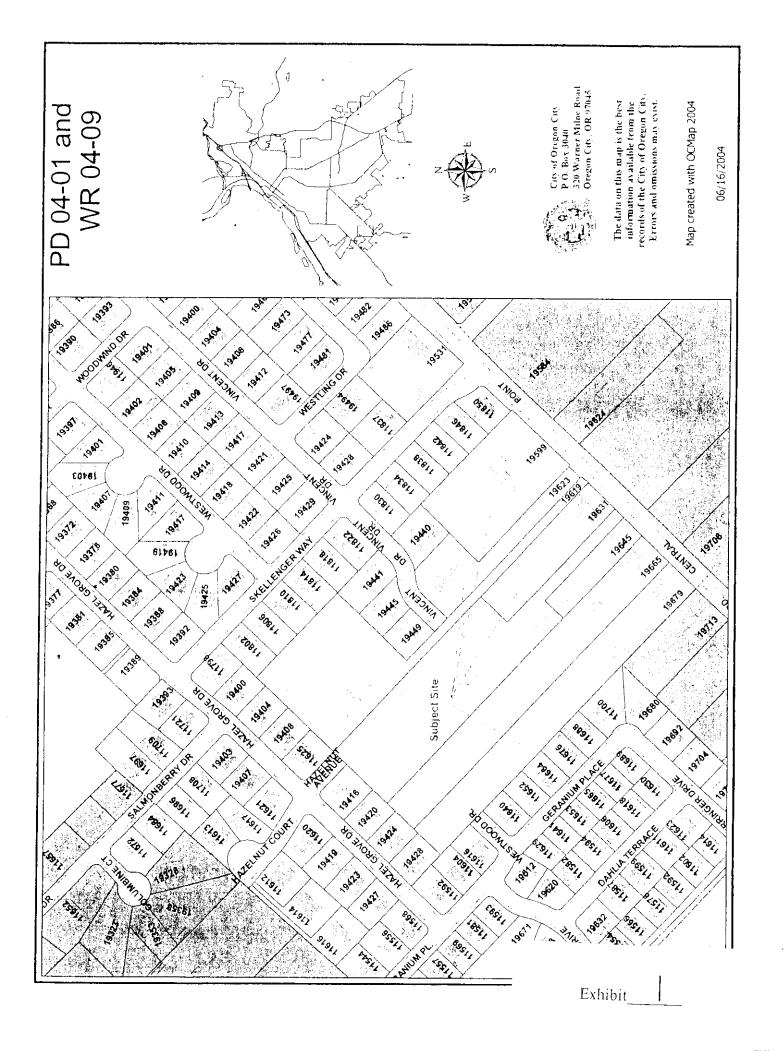
#### Exhibits

- 1. Vicinity Map
- 2. Wetland Determination, dated March 2004
- 3. Conceptual Mitigation Plan, dated March 2004
- 4. Proposed PUD Site Layout (Full Site Plans On File, See File PD 04-01)
- 5. Water Quality Resource Area Overlay District
- 6. Local Wetland Inventory
- 7. Tree Preservation Plan
- 8. Mr. Dotson of 19679 Central Point Road, Oregon City, OR 97045 (Exhibit 8);
- 9. Mr. Johnson of 19882 South White Lane, Oregon City, OR 97045 (Exhibit 9);
- 10. Ms. Crawford of 11822 Skellenger Way, Oregon City, OR 97045 (Exhibit 10);
- 11. Mr. and Mrs. Kirkpatrick of 19429 Vincent Drive, Oregon City, OR 97045 (Exhibit 11);
- 12. Mrs. O'Brien of 19364 Hazel Grove Drive, Oregon City, OR 97045 (Exhibit 12);
- 13. Mr. O'Brien of 19364 Hazel Grove Drive, Oregon City, OR 97045 (Exhibit 13);
- 14. Mr. Hendricks, no site address provided (Exhibit 14);
- 15. Mr. Cayson of 19441 Vincent Drive, Oregon City, OR 97045 (Exhibit 15); and
- 16. Mr. Henry of 11830 Skellenger Way, Oregon City, OR 97045 (Exhibit 16);

#### RECOMMENDED CONDITIONS OF APPROVAL July 19, 2004 WR 04-09

- 1. The applicant shall process and obtain approval for wetland and stream mitigation from the Corps of Engineers, Oregon Division of State Lands, and any other agencies prior to approval of a grading permit, if applicable. Copies of the approvals shall be supplied to the City.
- 2. No work shall be done in the wetland areas and along the existing drainage swales without a permit from the Oregon Division of State Lands and the Army Corps of Engineers, if applicable. The applicant shall provide the City copies of the above permits prior to the approval of a grading permit.
- 3. Prior to the issuance of a grading permit, the applicant shall clearly mark the waterquality resource area and the work areas shall be carefully located and marked to reduce potential damage to the resource. Trees shall not be used as anchors for stabilizing construction equipment.

WR 04-09 Staff Report July 19, 2004



# WETLAND DETERMINATION

# **Central Point Road Project**

# **OREGON CITY, OREGON**

### Prepared for:

Mike Flury MJF Development 1616 S.E. Reedway Street Portland, Oregon 97202

#### Prepared by:

Jay R. Lorenz, Ph.D. Hidden Spring Consulting, Inc. P.O. Box 2208 Bothell, Washington 98041 425-814-4870

March 2004

# TABLE OF CONTENTS

INTRODUCTION1
Site Conditions and Land Use
Wetland Definition and Authority2
PROCEDURES3
RESULTS AND DISCUSSION9
Vegetation9
Soils
Hydrology 10
WETLAND DETERMINATION
Width of Vegetated Corridor (Oregon City Code 17.49.050)
DISCLAIMER (OAR 141-090-0035(8)(K))
APPENDIX15

#### INTRODUCTION

Hidden Spring Consulting, Inc. (Wetland Consultant) was contracted by MJF Development to conduct a wetland determination and delineation study on Tax Lots 400, 401, 402, 500, and 600 located on the north side of Center Point Road in Oregon City, Oregon (Figures 1 and 1a). MJF Development is planning a Planned Unit Development on the parcels. Preliminary site investigation indicated that an intermittent stream or wetland might be present in the northern portion of the parcels. This study was conducted to satisfy regulatory requirements of the City of Oregon City, Department of State Lands, and the U.S. Army Corps of Engineers (COE).

Site Identification: Tax Lots 400, 401, 402, 500 and 600, SE ¼ Section 12, Township 3 South, Range 1 East, Clackamas County, Oregon

Latitude: 45.32328 North; Longitude: 122.62717 West

**Property Owners:** 

Leroy Thompson

19631 S. Central Point Road Oregon City, Oregon 97045 Tax Lots 400, 401, 402

Rick Dotson

19679 S. Central Point Road Oregon City, Oregon 97045

Tax Lot 600

Carter Cunningham

19665 S. Central Point Road Oregon City, Oregon 97045

Tax Lot 500

Developer:

MJF Development (Mike Flury)

1616 S.E. Reedway Street Portland, Oregon 97202

#### Site Conditions and Land Use

The five separate tax lots that form the study area are adjacent and form the shape of a rectangle (Figure 1a.). The long axis of the rectangle runs southeast to northwest. The interior of the parcels is undeveloped and will be described as a single unit. Several houses are located along Central Point Road. The southern three-quarters of the site is a field used for grazing or hay production. The northern one-quarter of the site is forested.

The study area is located between two subdivisions, one upslope to the northeast and one down slope to the southwest. Residential housing is also located north of the site. There is road frontage on Central Point Road. Access into the site is via a driveway along the eastern boundary of the property.

Vincent Street, in the subdivision to the northeast, terminates on the eastern boundary of the property. Westwood Drive, in the subdivision to the southwest, terminates on the western boundary of the site. Storm water drainage from the subdivision to the northeast outlets into a swale that flows through the subject property a few feet north of Vincent Street. The drainage enters the underground stormwater system at Westwood Drive.

## Wetland Definition and Authority

The U.S. Army COE regulates the discharge of dredged or fill materials into waters and adjacent wetlands of the United States under authority of Section 404 of the Clean Water Act (Federal Register, 1986). For purposes of the Section 404 permitting program, the U.S. Army COE and other federal agencies define wetlands as follows (Federal Register, 1980, 1982):

Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Federal Circuit Court cases have determined that Waters of the United States includes intermittent tributaries that connect to navigable waters.

The following definitions provided guidance for this study:

OAR 141-085-0010(109) "Intermittent stream" means any stream that flows during a portion of every year and which provides spawning, rearing, or food-producing areas for food or game fish.

Oregon City Code 17.49.020 "Protected water features" includes rivers and perennial and intermittent streams. "Bankfull stage" or "bankfull flow" means the stage or elevation at which water overflows the natural banks of streams or other waters of this state. "Ordinary mean high water line" means, as defined in OAR 141-82-005, the line on the bank or shore to which water ordinarily rises in season... "Intermittent stream" means a stream that flows only part of the year, or seasonally, during years of normal precipitation.

Review of relevant definitions and codes indicates that there are differences in the definition of intermittent stream among local, state, and federal authorities. There are also apparent differences in the limits of jurisdictional authority among local, state, and federal authorities.

#### **PROCEDURES**

This wetland determination is based on methods outlined in the *Corps of Engineers Wetlands Delineation Manual*, 1987. The manual requires independent evidence of three parameters for an area to be declared as wetland: hydric soils, hydrophytic vegetation, and wetland hydrology.

Hydric soils are soils that are saturated, inundated, or flooded long enough during the growing season to create anaerobic conditions that favor the growth of hydrophytic vegetation. Soil color (chroma 1 or  $\leq$  2 with mottles) and high organic content in the surface horizon are two field indicators of hydric soils.

Plants specifically adapted for life under saturated or anaerobic conditions are commonly referred to as hydrophytic vegetation. The U.S. Fish and Wildlife Service, in cooperation with the National and Regional Interagency Review Panels, publishes regional lists estimating the probability of the occurrence of a plant species in wetlands. Each species is given an indicator status, which represents the likelihood that it will be encountered in a wetland. Plant communities dominated by OBL, FACW, or FAC species indicate the presence of wetland vegetation. Categories are defined in Table 1.

Wetland hydrology occurs in soils that are saturated or inundated for a significant portion of the growing season. Visual observation of inundation or saturation, watermarks, drift lines, sediment deposits, and drainage patterns are useful field indicators of wetland hydrology. For this study, secondary indicators of wetland hydrology were used to make conclusions about the presence of wetland hydrology during a significant portion of the growing season.

The Routine On-Site Determination Method was used for this study. Soil color (hue, value, and chroma) was determined using the Munsell Color Chart at each sample point. Soil texture and moisture were observed. Dominant vegetation was sampled within a 5-foot radius of each sample point for herbaceous material and within a 30-foot radius plot for shrubs and trees. The percent cover was estimated for each species. Data was recorded on standard data forms (Appendix).

Stream boundaries were delineated according to local, state, and federal definitions that consistently recognize stream boundaries as the ordinary high water line.

Stream boundaries and sample plots were marked with colored ribbon and wire flags. The wetland boundary was mapped by a professional land surveyor.

A literature review was conducted in support of fieldwork. The following sources were reviewed or contacted for this study:

- Topographic map of the area (Printed from TOPO! Figure 1)
- Assessor's map (Figure 1a.)
- Soil Survey of Clackamas County Area, Oregon (1985) (Figure 2)
- Color aerial photograph (City of Oregon City GIS)

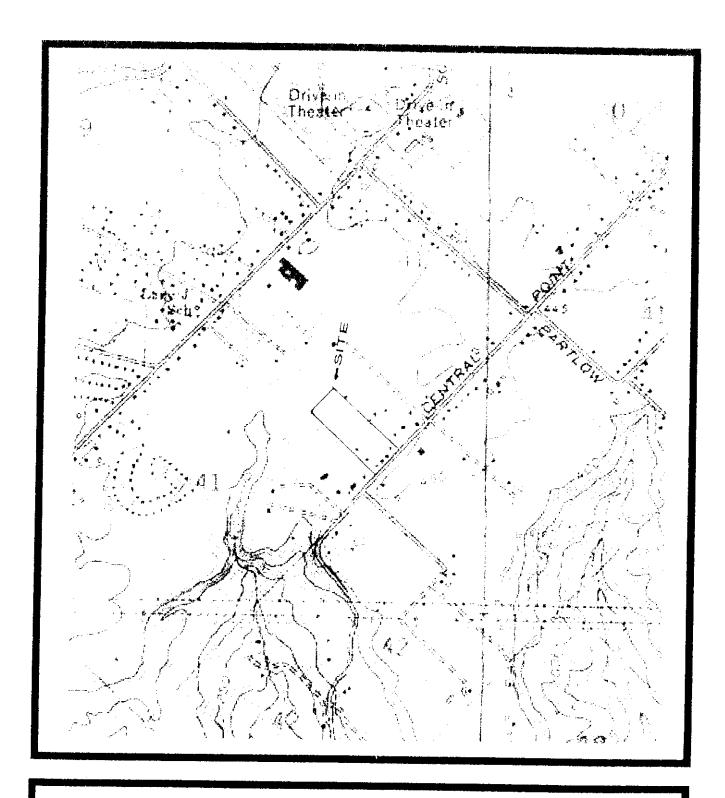


Figure 1. VICINITY MAP – Showing Study Area A portion of the topographic map (7.5 minute series) Oregon City, Oregon (Printed from TOPO!) 45•32328° North, 122•62717° West

- Water Quality and Flood Management Areas (City of Oregon City GIS, <a href="https://www.orcity.org/gis-mapping/pdf/water\_quality.pdf">www.orcity.org/gis-mapping/pdf/water\_quality.pdf</a>) (Figure 3)
- Oregon Climate Service, Oregon State University, Corvallis, Oregon
- Jon Bowers, GIS Analyst, Oregon Department of Fish and Wildlife
- For discussions on limits of U.S. Army COE jurisdiction: Windham, S.B. and K.M. Fletcher, "Green Collar Criminals", National Wetlands Newsletter, Volume 26, Number 1, January-February, 2004. Liebesman, L.R. Judicial, Administrative, and Congressional Responses to SWANCC, National Wetlands Newsletter, Vol. 25, Number 6, Winter 2003-04

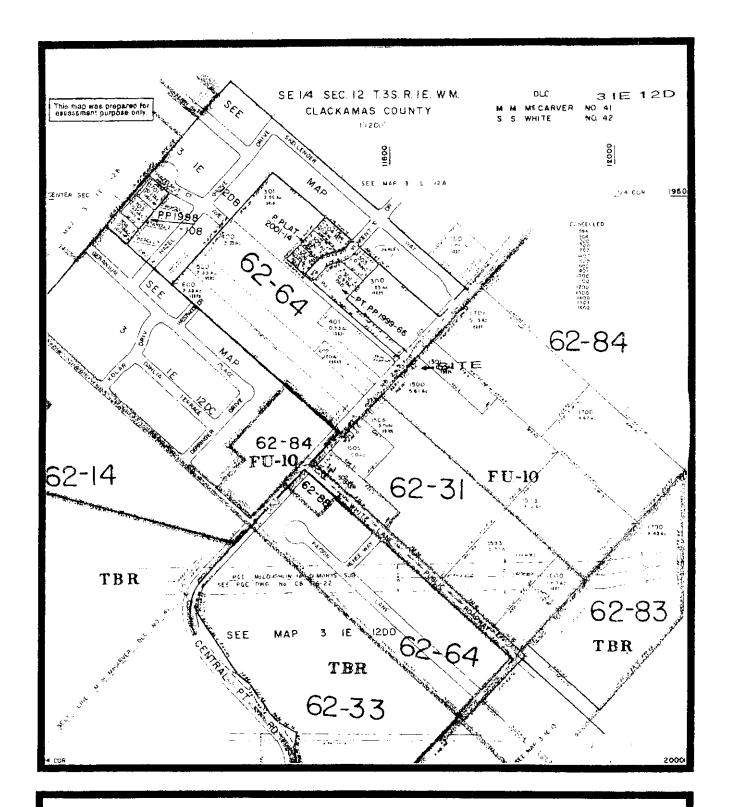
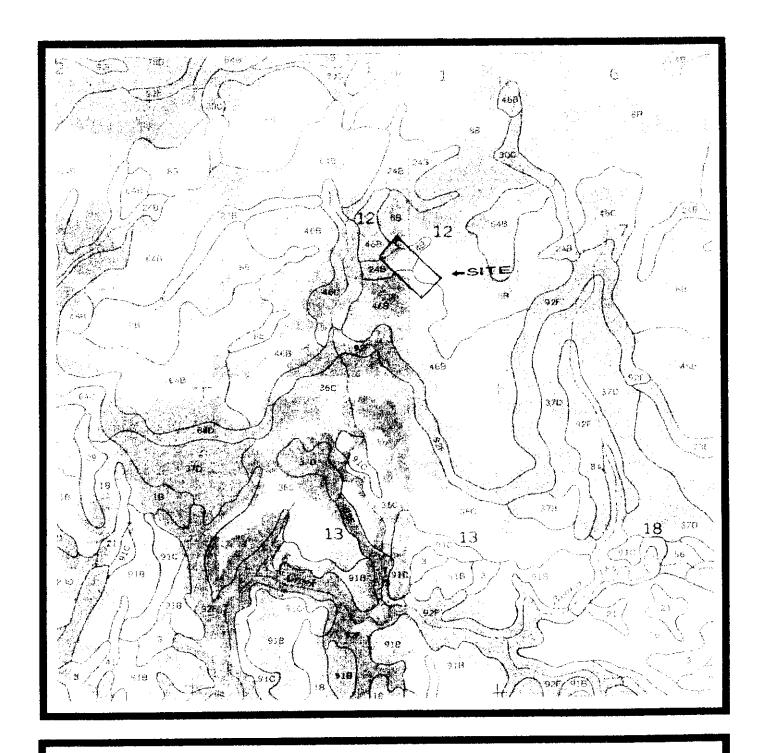


Figure 1a. ASSESSOR'S MAP – Showing Site Location.



**Figure 2.** SOIL SURVEY - A portion of the Clackamas County Area Soil Survey. Sheets 21 and 22.

8B - Bornstedt silt loam, 24B - Cottrell silty clay loam, 46B - Jory stony silt loam

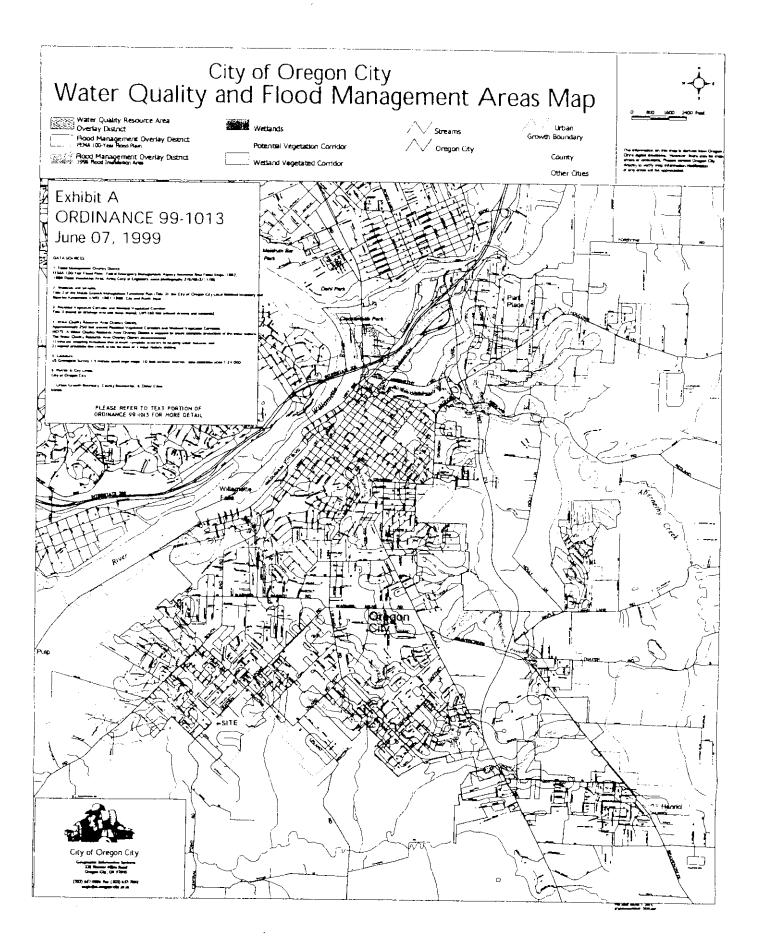


TABLE 1. PLANT INDICATOR CATEGORIES

CATEGORY	DEFINITION
Obligate Wetland (OBL):	Plants that almost always occur in wetlands under natural conditions (estimated probability > 99 percent).
Facultative Wetland (FACW):	Plants that usually occur in wetlands but are occasionally found in nonwetland areas (estimated probability 67 to 99 percent).
Facultative (FAC):	Plants that are equally likely to occur in wetlands or nonwetlands (estimated probability 34 to 67 percent).
Facultative Upland (FACU):	Plants that usually occur in nonwetlands (estimated probability 67 to 99 percent).
Upland (UPL):	Plant species that almost always occur in nonwetlands under normal conditions (estimated probability > 99 percent).
Not Listed (NL):	No indicator status given to this species.

## RESULTS AND DISCUSSION

A site visit was conducted on February 26, 2004.

#### Vegetation

There are three major plant communities on the site. About three-quarters of the site or the area located between Central Point Road and the man-made drainage is a field that is used for grazing or hay production. The dominant grass in the field is tall fescue (*Festuca arundinacea*), indicating non-wetland habitat. The tall fescue was not growing on hummocks, an adaptation seen in wet soils.

The valley in which the man-made drainage is located is dominated by a dense thicket of Himalayan blackberry (*Rubus discolor*). Himalayan blackberry thickets were cut at ground level in Tax Lot 500. The thicket of blackberries is about 25 to 50 feet wide. Blackberries overhang the drainage, obscuring the drainage in Tax Lot 400.

An area of second-growth forest is located north of the valley drainage and comprises about 25 percent of the combined tax lots. Dominant trees in the canopy include Oregon white oak (Quercus garryana) and Douglas fir (Pseudotsuga menziesii). Plants in the understory and ground layer include holly (Ilex sp.), Indian plum (Oemleria cerasiformis), and sword fern (Polystichum munitum). The forested plant community indicate upland habitat.

No native plant communities with FACW or OBL wetland plants were found on the site. Sample Plot 4 satisfied the wetland plant criteria simply on the basis of FACULTATIVE pasture

grasses. Rushes, sedges, and other native wetland plants were conspicuously absent throughout the site.

#### Soils

The Clackamas County Soil Survey indicates that soils in the valley are Cottrell silty clay loam, 2-8 percent slopes. Cottrell soils are moderately well-drained or non-hydric. Observations at Sample Plots 1, 3, 4, and 6 confirmed the presence of non-hydric soils in the valley. Soils in the drainage were presumed to be hydric on the basis of prolonged inundation.

The Clackamas County Soil Survey indicates that soils above (north and south) the valley are Bornsteadt silt loam and Jory stony silt loam. Bornsteadt soils are moderately well drained and Jory soils are well drained. Neither Bornsteadt nor Jory are hydric soils.

#### Hydrology

Precipitation data for Portland, Oregon is presented in Table 2. Precipitation was above normal for December 2003 and slightly below normal for the months of January and February. About one inch of rain fell between February 23 and 26. About two-thirds of the monthly average fell in the two weeks preceding the field study. One inch of precipitation represents about 25 percent of the monthly (February) average. Precipitation, although above average for the two weeks preceding the study, was considered to represent normal circumstances.

The site is within the Beaver Creek watershed. A valley slopes east to west through the site, representing the lowest portions of the site. A drainage is present in the valley. Surface flow was present in the drainage on the date of the site visit. Surface flow in the valley originates from a stormwater pipe outlet located about 100 yards upslope from the subject properties. The stormwater outlet pipe collects storm water from a subdivision. A search of the subdivision was conducted to determine if there were any indications of a stream or surface water connection within the subdivision. There are no surface water connections within the subdivision, upslope. Furthermore, there were no topographic depressions or swales suggesting a former surface water connection. Review of the Clackamas County Soil Survey and the USGS topographic map suggested there was not a historical drainage in the subdivision located upslope from the site. Surface flow on the subject property appeared to be strictly a function of storm water runoff from impervious surfaces in the subdivision located upslope from the subject property.

Surface flow from the subject property enters a storm water pipe in the subdivision that is adjacent and downslope from the subject property. Again, there is no empirical or evidence from pertinent literature that an intermittent stream was present in the subdivision to the south. Storm water from the subdivision to the south outlets directly into a water quality treatment pond. The water quality treatment pond has two outlets with spreader devices (large boulder rip-rap). There is intermittent overland sheet flow across non-hydric soil between the water quality pond and an intermittent creek that is a tributary to Beaver Creek. There is no channel, no bed and bank, and no way to define an ordinary high water line or bankfull stage between the water quality pond and the natural intermittent stream.

Observations made in the field and review of pertinent literature indicates the surface flow in the drainage that passes through the subject property is simply an artifact of stormwater runoff. There are no spawning, rearing, or food-producing areas for food or game fish in the manmade drainage. Jon Bowers, Oregon Department of Fish and Wildlife (ODFW), reported that anadromous fish have been recorded in lower portions of Beaver Creek. Mr. Bowers reported that he did not have any fish data on the natural intermittent tributary that flows between the man-made stormwater drainage and Beaver Creek.

TABLE 2. PRECIPITATION DATA-PORTLAND, OREGON

MONTH	PRECIPITATION (INCHES)	DEPARTURE FROM NORMAL	
December 2003	7.45*	1.74*	
January 2004	4.86*	-0.21*	
February 2004	3.95*	-0.23*	
February 13-26, 2004	2.81	N/A	
February 24-26, 2004	1.01	N/A	
TOTAL	16.26*	1.3*	

Sisul Engineering prepared a model to estimate the extent of the two-year storm event for the man-made intermittent stream. Their model is illustrated in Figure 4. Their model is based on the location of the centerline of the stream, slope, and theoretical runoff from the subdivision above the subject property. The model prepared by Sisul Engineering is generous in estimating the width of the two-year event as field indicators such as matted vegetation and water stains were not evident to the extent of their model.

## WETLAND DETERMINATION

No wetlands were found on the site. This conclusion is consistent with the wetland inventory of the City of Oregon City. It is also consistent the Clackamas County Soil Survey that indicates that hydric soils are not present on the site.

A man-made drainage, an artifact of stormwater drainage from a subdivision located upslope of the subject property, was present. The Ordinary High Water Line (OHWL) was flagged with colored ribbon or wire flags. The boundary was surveyed by a professional land surveyor (Figure 4a). Neither the wetland inventory for the city of Oregon City nor the Clackamas County Soil Survey indicated that an intermittent stream was present in the study area.

Field characteristics used to flag the OHWL or bankfull stage were the top of the shallow eroded channel, debris lines, and the limits of water-stained and matted vegetation. Based on field characteristics, the OHWL flagged in the field represents the Wetland Consultant's best professional judgment of the boundary of the OHWL or bankfull stage. The Engineer's model is

a theoretical representation and is valid within the limitations of the assumptions used to create the model.

There may be differences between federal and state jurisdiction over the man-made drainage. Flow in the drainage is intermittent. Federal Circuit Courts have ruled that man-made intermittent streams (e.g., ditches) are jurisdictional if they have a surface water or wetland connection to a navigable water. The explanation for such jurisdiction is based on the federal Clean Water Act that regulates water quality. Surface flows (i.e., ditches or intermittent streams) that have the potential of adding pollutants to navigable waters generally fall within the regulatory jurisdiction of the U.S. Army COE. The U.S. Army COE may consider the man-made drainage a water of the United States.

In contrast, the State of Oregon takes jurisdiction over intermittent streams that contain or contribute to fish habitat. Beaver Creek is a fish stream and the intermittent stream west of the subject property is jurisdictional because it contributes to the fish habitat of Beaver Creek. However, if the intermittent tributary below the subject property does not contain spawning or rearing habitat for fish, then the man-made drainage on the subject property would not be subject to State jurisdiction.

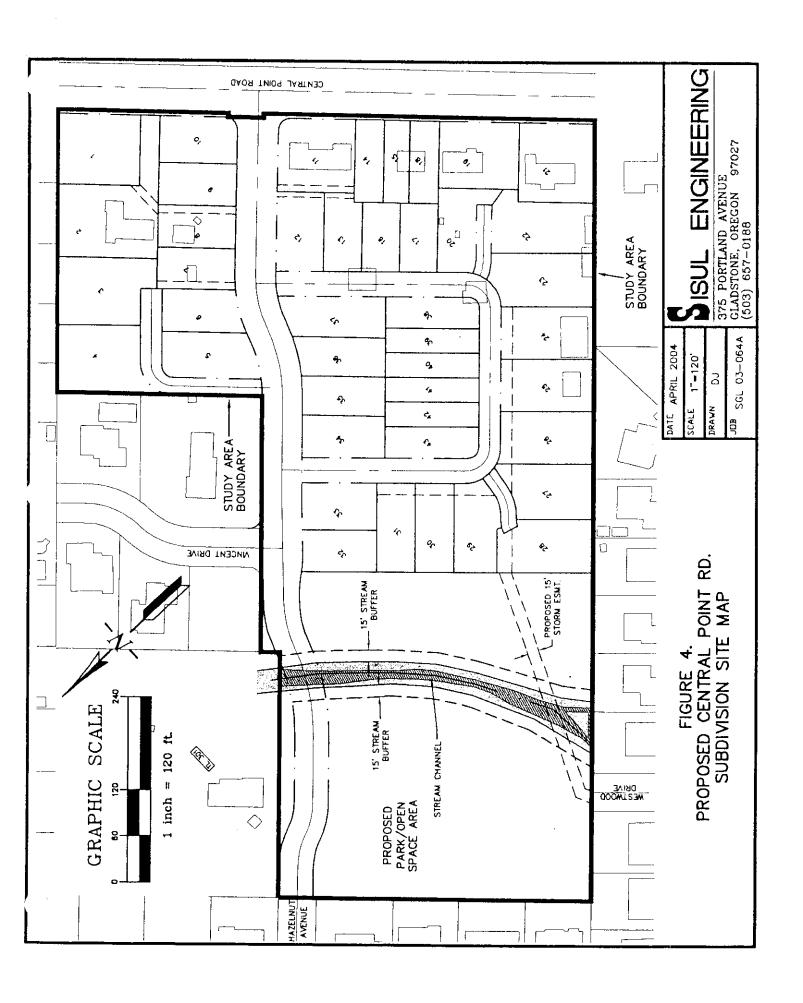
The City of Oregon City does not make a distinction between fish and non-fish habitat in its definition of intermittent stream. However, the City of Oregon City does refer to Oregon Administrative Rules in its definitions, suggesting that the water quality overlay areas apply to waters of the State. It is unclear whether the water quality overlay areas of the City of Oregon City coincide with jurisdictional waters of the State or jurisdictional waters of the United States.

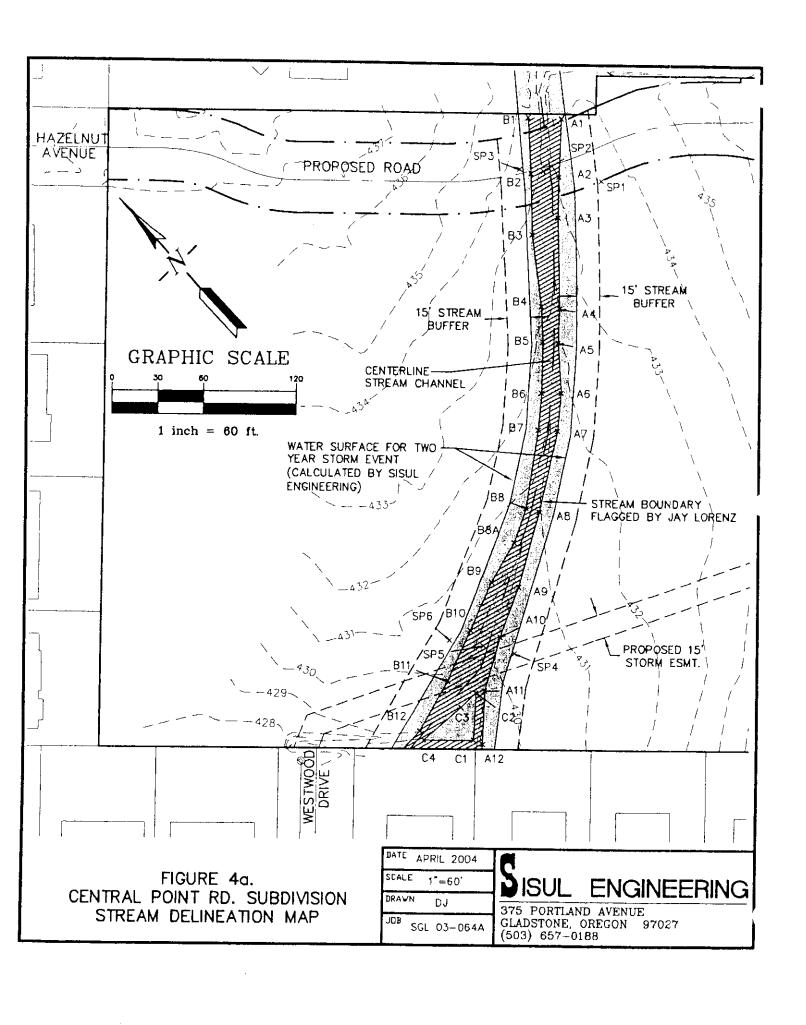
## Width of Vegetated Corridor (Oregon City Code 17.49.050)

The man-made intermittent stream on the subject property will be assumed (pending City review) to be a protected water of the City of Oregon City and subject to Oregon City Code 17.49.050. Slopes in and adjacent to the drainage are less than 25 percent and the area, which it drains, is less than 100 acres. Therefore, the width of the vegetated corridor is 15 feet as measured from the edge of the bankfull flow or OHWL (Oregon City Code, Table 17.49-1). For the purposes of this study, the vegetated corridor is based on the theoretical model prepared by Sisul Engineering, a wider corridor than implied by field characteristics flagged by the Wetland Consultant.

## DISCLAIMER (OAR 141-090-0035(8)(K))

This report documents the investigation, best professional judgment and conclusions of the investigator. It is correct and complete to the best of my knowledge. It should be considered a Preliminary Jurisdictional Determination and used at your own risk until it has been reviewed and approved in writing by the Oregon Department of State Lands in accordance with OAR 141-090-0005 through OAR 141-090-0055.





# **APPENDIX**

WETLAND DELINEATION

Field Investigators: Jay R. Lorenz

Site ID: Tax Lots: 400, 401, 402, 500, 600 - Oregon City State: Oregon

Applicant/Owner: Mike Flury

**Date:** 2/26/04

County: Clackamas Sample Plot ID: #1

Normal environmental conditions at plant Community? Yes Vegetation, soils, and/or hydrology significantly disturbed? No

## **VEGETATION**

#### DOMINANT PLANT SPECIES:

Scientific Name	Common Name	Stratum	<u>Indicator</u>	%Cover
Festuca arundinacea	tall fescue	Н	FAC-	80

Note: Field being farmed. Grass mowed.

Percent of dominant species that are OBL, FACW, and/or FAC: 0 Is the hydrophytic vegetation criterion met? No

## **SOILS**

SERIES/PHASE: Cottrell silty clay loam, 2-8%

Is the soil on hydric soils list? No

Histic epipedon present? No

0-8" 7.5YR3/2 matrix, silt clay loam 8-16" 7.5YR4/4 matrix, silt clay loam Is hydric soil criterion met? No

Is the soil a Histosol? No

Mottled? No

Gleyed? No

## **HYDROLOGY**

Is ground surface inundated? No

Surface Water depth:

Is the soil saturated?

Depth to free-standing water in soil probe hole: 12"

List other field evidence of surface inundation or soil saturation:

Is wetland hydrology criterion met? No

## **JURISDICTIONAL DETERMINATION**

Is the plant community a wetland? No

WETLAND DELINEATION

leld Investigators: Jay R. Lorenz

Site ID: Tax Lots: 400, 401, 402, 500, 600 - Oregon City State: Oregon

Applicant/Owner: Mike Flury

**Date:** 2/26/04

County: Clackamas Sample Plot ID: #2

Normal environmental conditions at plant Community? Yes Vegetation, soils, and/or hydrology significantly disturbed? No

#### **VEGETATION**

DOMINANT PLANT SPECIES:

Scientific Name Common Name

Stratum

Indicator

%Cover

Rubus discolor

Himalayan blackberry

Vine

**FACU** 

+08

Channel totally surrounded by Himalayan blackberry.

Percent of dominant species that are OBL, FACW, and/or FAC: 0

Is the hydrophytic vegetation criterion met? No

## **SOILS**

SERIES/PHASE: Cottrell silty clay loam, 2-8%

Is the soil on hydric soils list? No

Is the soil a Histosol?

Histic epipedon present?

Mottled?

Gleyed?

Is hydric soil criterion met? Presumed based on inundation.

### **HYDROLOGY**

Is ground surface inundated? Yes

Surface Water depth: 3"

Is the soil saturated? Yes

Depth to free-standing water in soil probe hole:

List other field evidence of surface inundation or soil saturation:

Is wetland hydrology criterion met? Yes

## JURISDICTIONAL DETERMINATION

Is the plant community a wetland? Intermittent drainage

<u>DMMENTS:</u>

WETLAND DELINEATION

Field Investigators: Jay R. Lorenz

Site ID: Tax Lots: 400, 401, 402, 500, 600 - Oregon City State: Oregon

Applicant/Owner: Mike Flury

**Date:** 2/26/04

County: Clackamas Sample Plot ID: #3

Normal environmental conditions at plant Community? Yes Vegetation, soils, and/or hydrology significantly disturbed? No

### **VEGETATION**

DOMINANT PLANT SPECIES:

Scientific Name Common Name

Stratum

Indicator

%Cover

Rubus discolor

Himalayan blackberry

Vine

FACU

100

Percent of dominant species that are OBL, FACW, and/or FAC: 0 Is the hydrophytic vegetation criterion met? No

## **SOILS**

SERIES/PHASE: Cottrell silty clay loam, 2-8%

Is the soil on hydric soils list? No

Histic epipedon present? No

0-12" 10YR3/2 matrix, silty clay loam 12-16" 7.5YR4/4 silty clay loam

Is hydric soil criterion met? No

Is the soil a Histosol? No

Mottled? No

Gleyed? No

## **HYDROLOGY**

Is ground surface inundated? No

Surface Water depth:

Is the soil saturated? No

Depth to free-standing water in soil probe hole: 12"

List other field evidence of surface inundation or soil saturation:

Is wetland hydrology criterion met? No

## JURISDICTIONAL DETERMINATION

Is the plant community a wetland? No

**WETLAND DELINEATION** 

ield Investigators: Jay R. Lorenz

Site ID: Tax Lots: 400, 401, 402, 500, 600 - Oregon City State: Oregon

Applicant/Owner: Mike Flury

**Date:** 2/26/04

County: Clackamas Sample Plot ID: #4

Normal environmental conditions at plant Community? Yes Vegetation, soils, and/or hydrology significantly disturbed? No

### **VEGETATION**

#### **DOMINANT PLANT SPECIES:**

Scientific Name	Common Name	<u>Stratum</u>	<u>Indicator</u>	%Cover
Pyrus malus	apple	T	N/L	05*
Rubus discolor	Himalayan blackberry	Vine	FACU	<5
Taraxacum officinale	common dandelion	Н	FACU	<5
Festuca arundinacea	tall fescue	H	FAC-	33*
Trifolium repens	white clover	Н	FAC	<5
Agrostis sp.	bentgrass	Н	FAC/FACW	15*
Daucus carota	Queen Ann's lace	Н	N/L	05
Poa sp.	bluegrass	H	FAC	25*
Holcus lanatus	velvet grass	H	FAC	05-10*

Percent of dominant species that are OBL, FACW, and/or FAC: T-0, H-3/4 75%

Is the hydrophytic vegetation criterion met? Yes

### **SOILS**

SERIES/PHASE: Cottrell silty clay loam, 2-8%

Is the soil on hydric soils list? No

Is the soil a Histosol? No

Histic epipedon present? No

Mottled? Below 12"

Gleyed? No

0-12" 10YR3/2 matrix, silt clay loam

12-18" Reduced 10YR3/2 matrix and 10YR3/4 iron masses and mg concretions

Is hydric soil criterion met? No

## **HYDROLOGY**

Is ground surface inundated? No

Surface Water depth:

Is the soil saturated? No

Depth to free-standing water in soil probe hole: 12"

List other field evidence of surface inundation or soil saturation:

Is wetland hydrology criterion met? No

## JURISDICTIONAL DETERMINATION

the plant community a wetland? No

WETLAND DELINEATION

Field Investigators: Jay R. Lorenz

Site ID: Tax Lots: 400, 401, 402, 500, 600 - Oregon City State: Oregon

Applicant/Owner: Mike Flury

**Date:** 2/26/04

County: Clackamas Sample Plot ID: #5

Normal environmental conditions at plant Community? Yes Vegetation, soils, and/or hydrology significantly disturbed? No

## **VEGETATION**

#### **DOMINANT PLANT SPECIES:**

Scientific Name	Common Name	Stratum	<u>Indicator</u>	%Cover
Rubus discolor Alopecurus pratensis Agrostis sp.	Himalayan blackberry meadow foxtail bentgrass bare	Vine H H	FACU FACW FAC/FACW	25* 15* 50* 10

Percent of dominant species that are OBL, FACW, and/or FAC: H-2/3, 67%

Is the hydrophytic vegetation criterion met? Yes

## **SOILS**

SERIES/PHASE: Cottrell silty clay loam, 2-8%

Is the soil on hydric soils list? No

Is the soil a Histosol?

Histic epipedon present?

Mottled?

Gleyed?

Mid-stream channel

Is hydric soil criterion met? Presumed based on inundation

## **HYDROLOGY**

Is ground surface inundated? Yes

Surface Water depth: 2-4"

Is the soil saturated?

Depth to free-standing water in soil probe hole:

List other field evidence of surface inundation or soil saturation:

Is wetland hydrology criterion met? Yes

## JURISDICTIONAL DETERMINATION

Is the plant community a wetland? Intermittent drainage

WETLAND DELINEATION

\_ .eld Investigators: Jay R. Lorenz

Site ID: Tax Lots: 400, 401, 402, 500, 600 - Oregon City State: Oregon

Applicant/Owner: Mike Flury

Date: 2/26/04

County: Clackamas Sample Plot ID: #6

Normal environmental conditions at plant Community? Yes Vegetation, soils, and/or hydrology significantly disturbed? No

#### **VEGETATION**

#### DOMINANT PLANT SPECIES:

Scientific Name	Common Name	<u>Stratum</u>	<u>Indicator</u>	%Cover
Quercus garryana	Oregon white oak	Т	N/L	20*
Rubus discolor	Himalayan blackberry	Vine	FACU	20*
Festuca arundinacea	tall fescue	Н	FAC-	40*
Holcus lanatus	velvet grass	Н	FAC	10*
Poa sp.	bluegrass	Н	FAC	15*
•	other grasses			

Percent of dominant species that are OBL, FACW, and/or FAC: T-0, H-2/4-50%

Is the hydrophytic vegetation criterion met? No

#### **SOILS**

SERIES/PHASE: Cottrell silty clay loam, 2-8%

Is the soil on hydric soils list? No

Is the soil a Histosol? No

Histic epipedon present? No

Mottled? Below 12"

Gleyed? No

0-12" 10YR3/2 matrix, silty clay loam

12-18" Reduced 10YR3/2 matrix, 10YR3/4 iron masses and mg concretions

Is hydric soil criterion met? No

### **HYDROLOGY**

Is ground surface inundated? No

Surface Water depth:

Is the soil saturated? No

Depth to free-standing water in soil probe hole: 13"

List other field evidence of surface inundation or soil saturation:

Is wetland hydrology criterion met? No

## **JURISDICTIONAL DETERMINATION**

the plant community a wetland? No

# WATER QUALITY RESOURCE AREA STANDARDS

## **CONCEPTUAL MITIGATION PLAN**

CENTRAL POINT ROAD
OREGON CITY, OREGON

Prepared for:

Mike Flury MJF Development 1616 S.E. Reedway Street Portland, Oregon 97202

Prepared by:

Jay R. Lorenz, Ph.D., P.W.S. Hidden Spring Consulting, Inc. P.O. Box 2208 Bothell, Washington 98041 425-814-4870

March 2004

Exhibit 3

## WATER QUALITY RESOURCE AREA STANDARDS

#### **CONCEPTUAL MITIGATION PLAN**

#### INTRODUCTION

At the request of MJF Development, Hidden Spring Consulting, Inc. was asked to prepare an analysis of the water quality resource area that passes through Tax Lots 400, 500, and 600 in the Southeast ¼ of Section 12, Township 3 South, Range 1 East, Oregon City, Oregon. The purpose of this report is to provide information on the water resources overlay area and a conceptual mitigation plan as required in City of Oregon City Code 17.49.050. A man-made intermittent stream is present on the subject property (see Wetland Determination Report, Hidden Spring Consulting, Inc., March 2004). The intermittent stream may be subject to the requirements of Oregon City Code 17.49.050.

The applicant, MJF Development, is proposing a planned unit development (PUD) on the property. The application includes a proposal to transfer ownership of the northern one-third of the property to the Oregon City Department of Parks. The intermittent stream that flows through the property is located within the area proposed to be transferred to the Department of Parks.

The applicant is proposing to construct a road across the intermittent drainage (Figure 4a). Roads crossing protected waters may be considered as a provisional use under Oregon City Code 17.49.050.E.3. Roads crossing waters of the State of Oregon or waters of the United States are also subject to state and federal regulatory requirements.

This report will focus on application requirements outlined in Oregon City Code 17.49.050.

#### OREGON CITY CODE 17.49.050.

#### **Current Conditions**

Site topography and existing water features are illustrated in Figures 4 and 4a. An intermittent stream is located on the site. Slopes in and adjacent to the intermittent drainage are less than 25 percent and it drains an area less than 100 acres. Therefore, the vegetated corridor is 15 feet as shown in Figures 4 and 4a.

Dense thickets of Himalayan blackberry (*Rubus discolor*) dominate the vegetated corridor and overhang much of the intermittent stream (see attached photographs). Himalayan blackberry cover is nearly 100 percent in the upper two-thirds of the

vegetated corridor. Himalayan blackberries were cut at ground level for a distance of about 50 feet in the lower portion of the vegetated corridor. Plant cover is mostly bare where blackberries were removed (Tax Lot 500). However, left unmanaged, blackberries will likely return to 100 percent cover within a year or two.

Vegetative cover in the lowest portion of the corridor is dominated by pasture grasses including tall fescue (*Festuca arundinacea*), bentgrass (*Agrostis* sp.), and bluegrass (*Poa* sp.). Grass cover is nearly 100 percent. One apple tree is located along the edge of the intermittent drainage.

#### Analysis of the Impacts of the Proposed Development

The water resource area is man-made, an artifact of stormwater discharge from a subdivision constructed upslope from the subject property. A water resource area would not likely be present without the stormwater discharge. A review of topographic maps and the Clackamas County Soil Survey suggests a water resource area was not present prior to construction of the subdivision upslope from the subject property.

The beginning of the water resource area is the stormwater outfall located about 100 yards upslope from the subject property. Upslope, the water resource corridor is mowed or grazed pasture with no woody vegetation. Stormwater that flows across the surface of the subject property enters the underground stormwater system of the subdivision that is adjacent on the downslope side of the property. Stormwater from the subdivision is discharged into a water quality pond. The existing water resource corridor is only about 200 yards long, boxed in between two subdivisions. There is no continuity to other vegetated water resources.

The intermittent stormwater flow across the property does not provide fish habitat. There is no continuous channel to a fish-bearing stream. There is no channel between the water quality pond and the natural intermittent creek into which stormwater is eventually discharged. Lack of channels, the water quality treatment pond, and underground stormwater pipes are barriers to fish passage.

Stormwater discharge does provide a source of water for fish in Beaver Creek, a stream known to provide anadromous fish habitat. The water quality pond below the subject property serves as a nutrient and sediment sink. The intermittent stormwater drainage contributes little in the way of nutrients to any fish bearing streams because water is filtered in the water quality pond.

Thickets of Himalayan blackberry that grow along the edge of the intermittent stormwater channel provide some food (seasonal) and habitat to a limited number of birds. The intermittent flows, a function of storm events, lack of pools, lack of native vegetation, and lack of woody structure provides minimal if any habitat for amphibians and reptiles. Species and structural diversity are lacking. If the plant community is degraded, then so is the wildlife habitat. Boxed between two subdivisions, there is no

continuity to other areas of wildlife habitat along the water corridor. However, there is continuity to a small patch of undeveloped forest north of the man-made drainage.

Indirect impacts to the water resource area will be minimal because the existing manmade water corridor provides minimal habitat. Stormwater discharge into the system
could degrade water quality. Nitrogen and phosphorus could be added to the system in
runoff from landscaped areas. Water temperature is not likely to be affected by the new
development or by additional discharges of stormwater. Water temperatures from a new
subdivision will mimic water temperatures at the current point of discharge from the
subdivision that is located upslope. Additional spikes in water quantity are possible
following storm events. However, since the existing stream is man-made, additional
discharge will not be harming a stream with historical fish or wildlife habitat. All flows
will pass through a water quality treatment pond before being discharged into a natural
stream. The water quality pond will ameliorate spikes in stream flow and function as a
nutrient and sediment sink before water enters a naturally occurring stream.

Banks of the existing intermittent drainage are gradual and in some places non-distinct. Potential impacts to bank erosion are minimal because distinct channel banks are not present. Point discharge of stormwater into the existing channel could create energy to erode a gully between the point of discharge and the existing channel. The potential for down cutting is minimal because of the absence of steep slopes or banks.

One road crossing is proposed that will have a direct impact on the water quality resource area. There is no internal road network and a new road is required to provide ingress and egress from the site. The direct impacts to the existing water feature will be minimal because the existing habitat is severely degraded and provides minimal habitat for any species of wildlife. The existing surface flow is man-made and boxed between two subdivisions. Adding a new road crossing will create very minimal new fragmentation of the corridor because the new road is next to a driveway crossing. A new road will be nearly inconsequential to a short, man-made, already fragmented, and degraded corridor.

An underground stormwater pipe is proposed to cross beneath the man-made drainage in the lower portion of the site. Temporary impacts to the drainage corridor will occur during construction.

# CONCEPTUAL MITIGATION PLAN FOR INDIRECT AND DIRECT IMPACTS

Indirect (increased stormwater runoff and additional pollutants) can be mitigated by passing water through a water quality pond. Such a facility already exists in the flow of the stormwater runoff.

Enhancing the degraded vegetated corridor can mitigate the direct impact of the proposed road crossing. Establishing a vegetated corridor with native trees and shrubs will diversify the currently degraded habitat.

The following actions are recommended to mitigate for the direct impacts of the proposed road crossing.

- Remove all Himalayan blackberries in the vegetated corridor.
- Replace Himalayan blackberries with native trees and shrubs (see Table 1).
- Restore native vegetation along the underground stormwater corridor.
- Establish a program of maintenance and monitoring.

TABLE 1. CONCEPTUAL LANDSCAPING PLAN FOR VEGETATED CORRIDOR

Scientific Name	Common Name	Plant Spacing	Size
Fraxinus latifolia	Oregon ash	*10 to 12 feet o.c.	3 to 5 feet
Crataegus douglasii	Black hawthorn	10 to 12 feet o.c.	3 to 5 feet
Rhamnus purshiana	Cascara	10 to 12 feet o.c.	3 to 5 feet
Pyrus fusca	Western crabapple	10 to 12 feet o.c.	3 to 5 feet
Amelanchier alnifolia	Serviceberry	10 to 12 feet o.c.	2- gallon
Physocarpus capitatus	Pacific ninebark	**3 to 5 feet o.c. plant in clusters	2- gallon
Holodiscus discolor	Oceanspray	3 to 5 feet o.c. plant in clusters	2- gallon
Symphoricarpos albus	Snowberry	3 to 5 feet o.c. plant in clusters	2- gallon
Rosa pisocarpa	Cluster rose	3 to 5 feet o.c. plant in clusters	2- gallon
Oemlaria cerasiformis	Indian plum	3 to 5 feet o.c. plant in clusters	2- gallon
Agrostis stolonifera Agrostis exarata Elymus glaucus Festuca rubra Lupinus polyphyllus	Grass and flower mix	30 pounds per acre	

<sup>\*</sup>Spacing recommendations are average. Cluster planting is acceptable so long as the average is maintained. Spacing between trees and large shrubs should be 10 to 12 feet, regardless of species.

### Objectives and Performance Standards

The objectives of mitigation are to establish a diverse riparian cover of native trees and shrubs downstream from the area of direct impact. Another objective is to increase structural diversity in the riparian area.

<sup>\*\*</sup>Spacing between small shrubs should be on average 3 to 5 feet, regardless of species. Shrubs should be planted in clusters of 3 to 5 plants of the same species.

Recommended performance standards include:

- 100 percent survivorship of all shrubs and trees at the end of the first growing season.
- 90 percent survivorship of all shrubs and trees at the end of the second growing season.
- 80 percent survivorship of all shrubs and trees at the end of the fifth growing season.
- The diversity objective will be satisfied if, at the end of five years, three species of trees are present and four different species of shrubs are present.
- Aerial cover of trees will be 5 to 10 percent after 2 growing seasons and 15 to 20 percent after 5 growing seasons.
- Aerial cover of shrubs will be 25 percent after initial planting, 50 percent after three growing seasons and 65 percent after five growing seasons.
- There should be one log, a minimum of six inches in diameter and 8 feet long every fifty feet along the mitigated vegetated corridor. Root stumps are suitable substitutions.
- Aerial cover of noxious plants such as Himalayan blackberry, reed canary grass, and Scotch broom will not be greater than 10 percent at any time during the monitoring period.

### Installation, Maintenance and Monitoring Schedule

The recommended maintenance and monitoring schedule is presented in Table 2.

Site preparation needs to focus on removal of Himalayan blackberries. Removing Himalayan blackberries at root level is recommended. Himalayan blackberries beyond the 15-foot vegetated corridor will likely need to be removed to reduce the likelihood of reinvasion. Trash, debris, and abandoned fences need to be removed as part of site preparation.

The Consulting Biologist needs to review the landscaping plan with the landscape contractor prior to installation. The Consulting Biologist needs to review plant material at the time of installation to insure that healthy plants are installed.

Maintenance and monitoring during the first two to three years needs to focus on controlling reinvasion of Himalayan blackberries and insuring survivorship of the newly installed plants. Maintenance needs to include remove of trash and debris.

The best time to install plants is during the dormant season, late October through January.

# TABLE 2. INSTALLATION, MAINTENANCE, AND MONITORING SCHEDULE

ACTIVITY		YEA	YEAR 0			YEA	EAR 1			YEAR 2	R 2		ľ	YEAR 3	R 3			YEAR 4	3 4			YEAR 5	<b>\$</b> \$	
ACHAILI	W	S	W S S F W	F	W	S	S	F	W	S	S	F	W	S	S	F	W	S	S	Œ	×	S	S	Ŧ
Remove blackberries			×	×		X		×		×		×		×		×		×		×		×		×
Install plants				×	$\times$															<del>                                     </del>				
As-built monitoring and report					×	×																		
Qualitative monitoring							×			×				×				×				×		
Remove weedy invaders as needed						×		×		×		×		×		×		×		×				
Check for water stress							×				×													
Quantitative monitoring							×				×				×				X				×	
Remedial planting, as needed					•			×	X			×	×			×	×			×	×			
Annual monitoring report								×				×				×				×				
Final report																							×	×

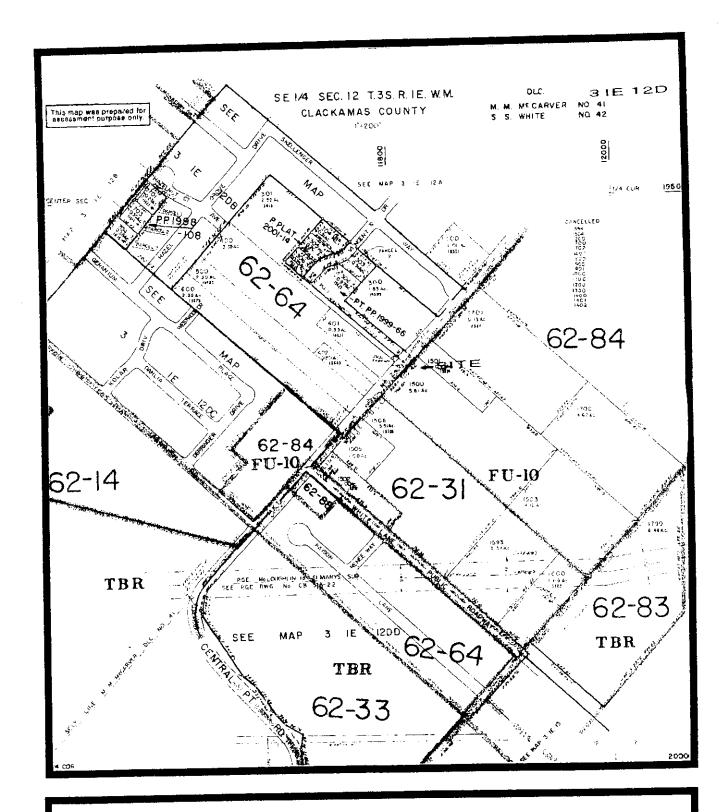


Figure 1a. ASSESSOR'S MAP – Showing Site Location.

### CONTINGENCY MANAGEMENT

Factors that can lead to failure of the mitigation area include the following: plants that are improperly installed; plants that are not suitable for the site; mortality due to water stress, particularly during the first and second growing seasons; mortality due to vandalism; mortality due to animal damage; mortality due to pests; invasion of noxious or weedy plants. Adhering to the recommended monitoring schedule and providing maintenance are necessary to evaluate conditions on a regular basis.

The Consulting Biologist will evaluate the causes of plant mortality during regularly scheduled monitoring. Management actions to respond to sub-par survivorship may include providing summer irrigation to water stressed plants, placing wire cages around shrubs to prevent browsing damage, mowing around small shrubs to prevent girdling by rodents, placing mulch rings around shrubs to help retain soil moisture and to reduce grass invasion around new stems, and replacement plantings.

Identifying the site as a mitigation area can help reduce the potential of vandalism. Wooden fencing and signs are recommended to educate neighbors that the vegetated corridor is a mitigation site and is not to be disturbed.

### **CONSULTING BIOLOGIST**

The Wetland Determination (under separate cover) and Conceptual Mitigation Plan have been prepared by Jay R. Lorenz, Ph.D., Hidden Spring Consulting, Inc. Dr. Lorenz is certified as a Professional Wetland Scientist. He has over 25 years of experience in research, teaching, Extension Service Education, and consulting in the fields of wildlife biology, watershed management, and natural resource management. He has been employed as a wetland consultant for over 12 years, practicing in Oregon and Washington.

### **ATTACHMENTS**

Vicinity Map, Figure 1 Assessor's Map, Figure 1a. (No Figure 2 or 3) Site Plan and Water Resource Area, Figure 4 Stream Boundary, Figure 4a.

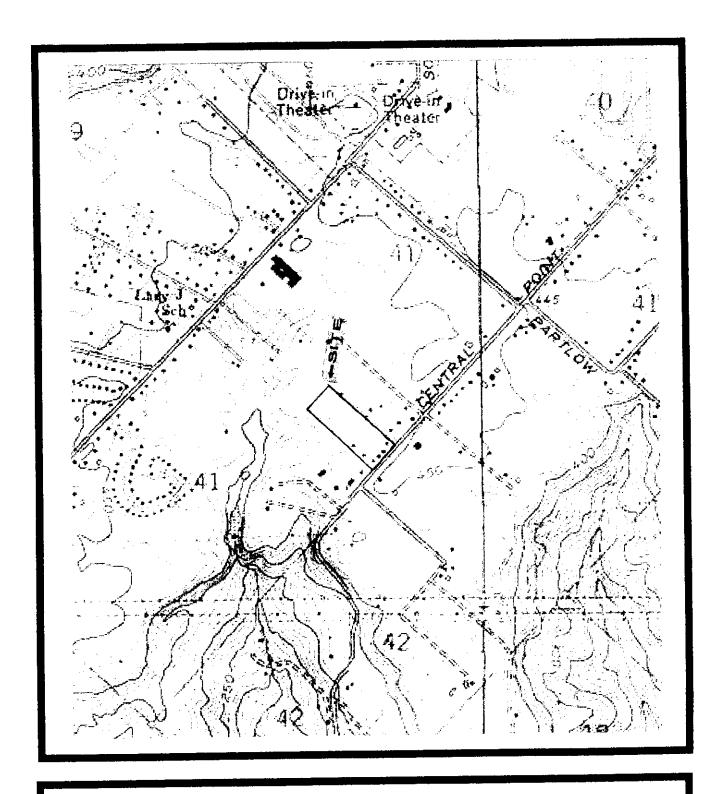
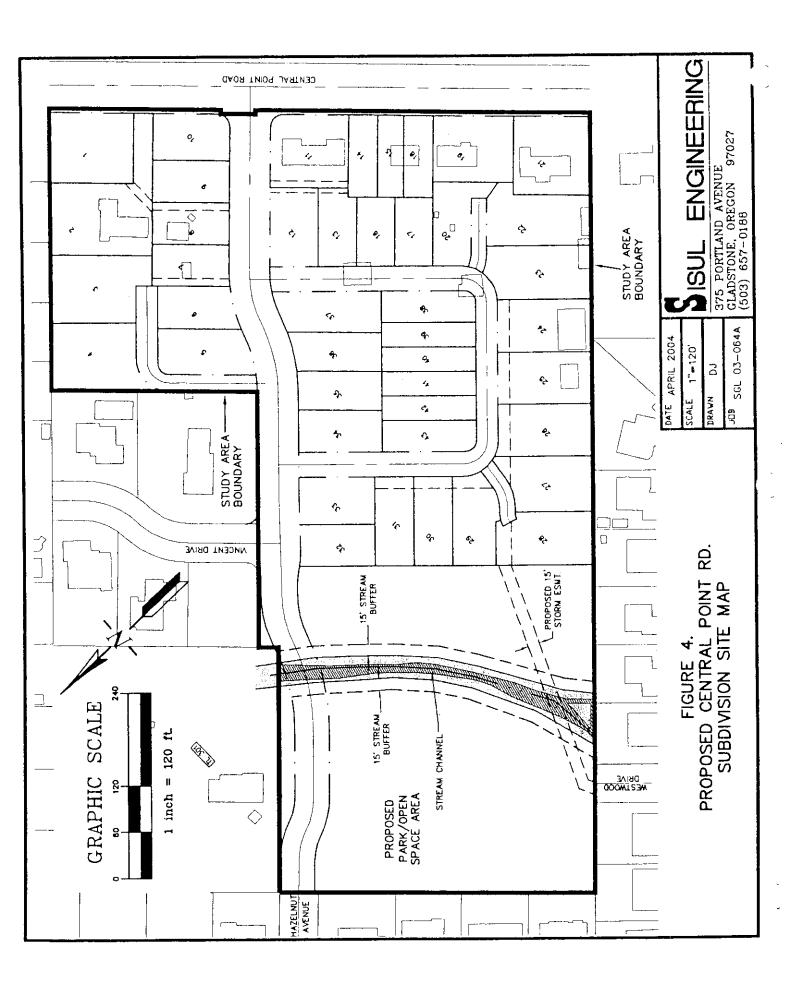


Figure 1. VICINITY MAP – Showing Study Area
A portion of the topographic map (7.5 minute series) Oregon City, Oregon
(Printed from TOPO!) 45•32328° North, 122•62717° West



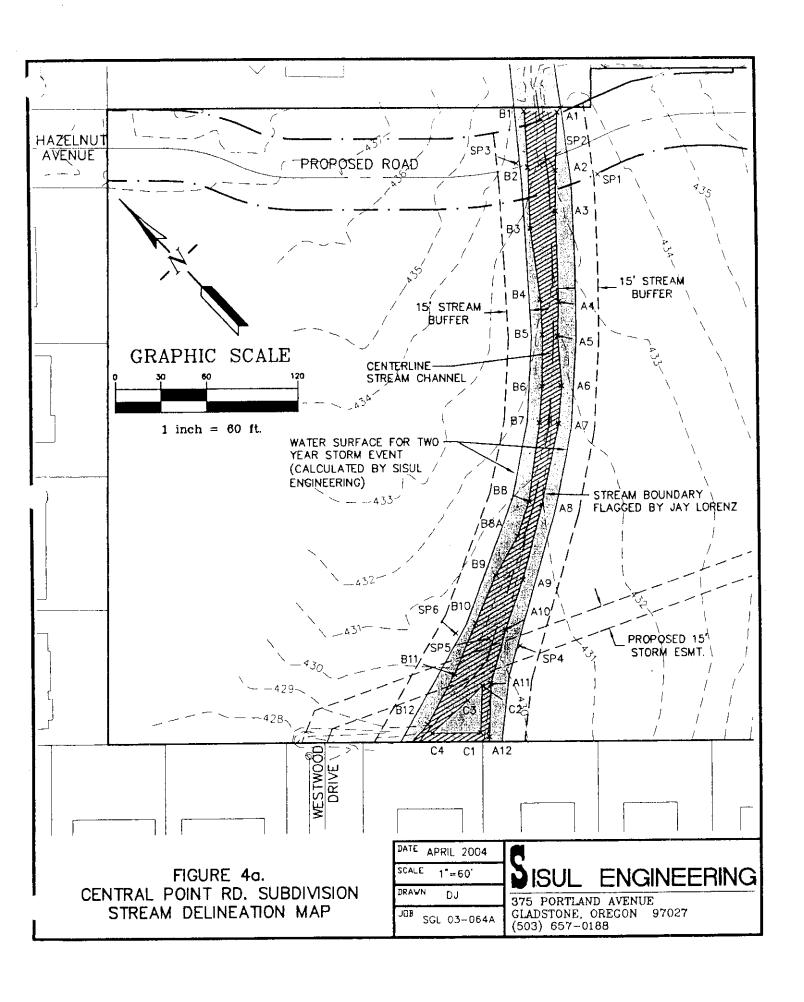




PHOTO DATE 2/26/04

ABOVE: Photo 1 - Water resource area. Tax Lot 400, looking southwest.

BELOW: Photo 2 - Water resource area, Tax Lot 500, looking northeast.



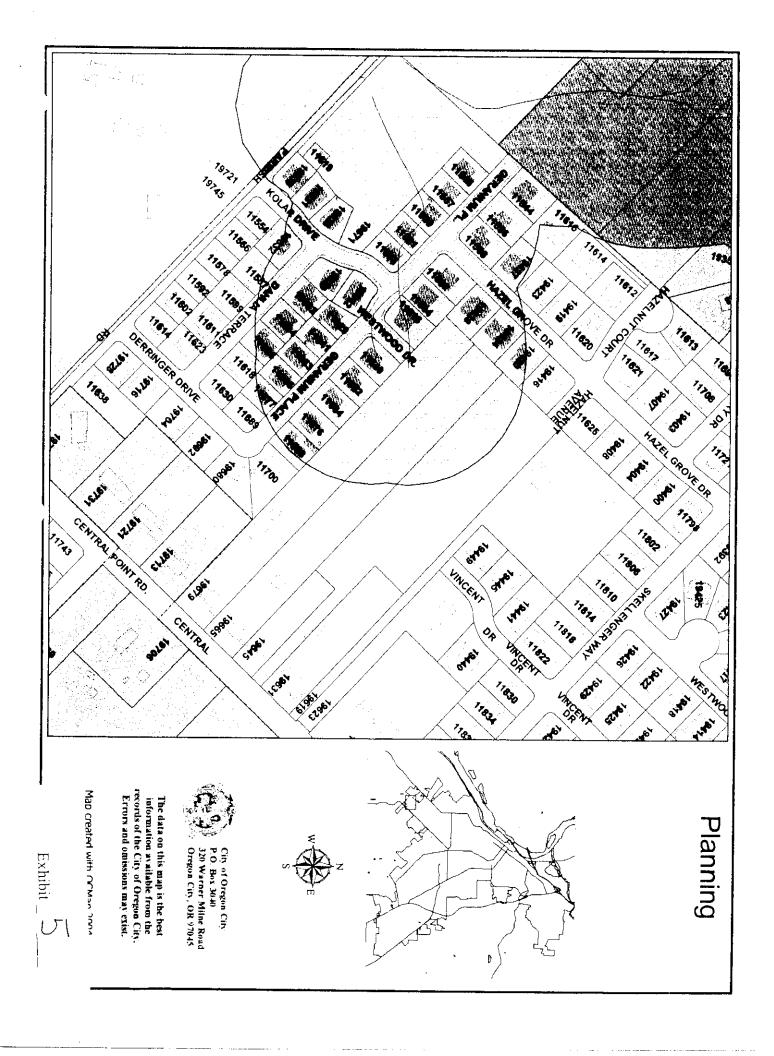
Mike Flury Central Point Road March 2004 HSCI 203-065

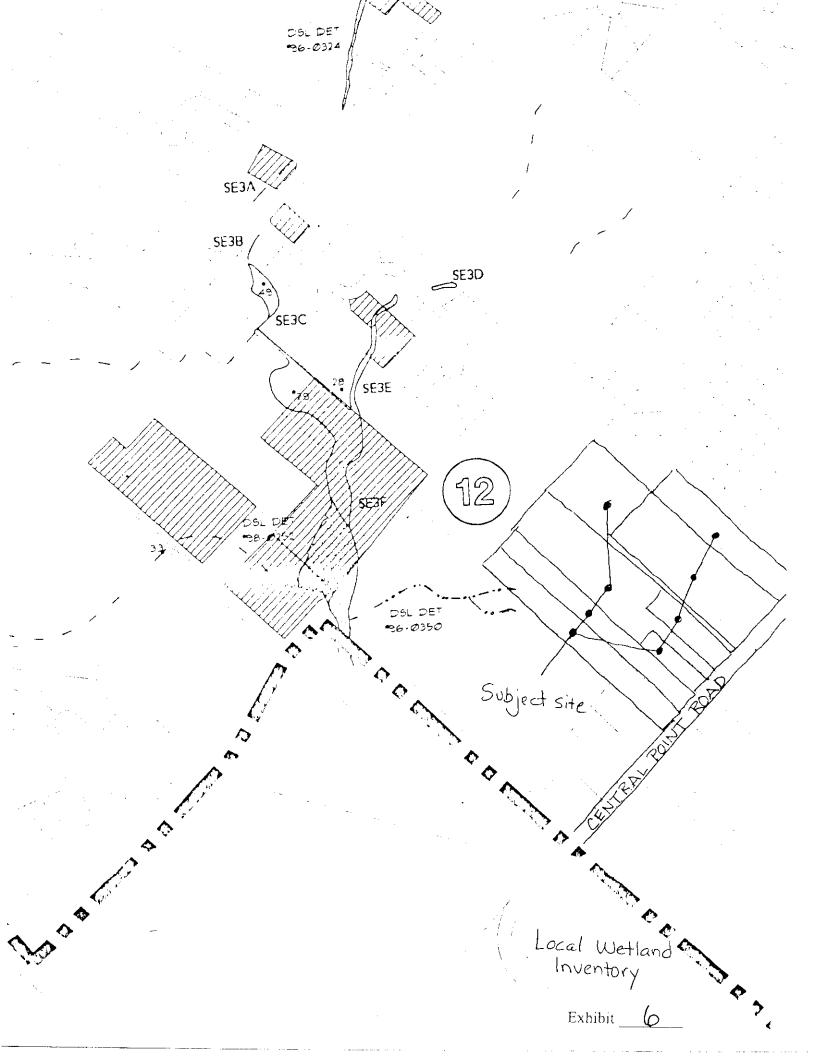


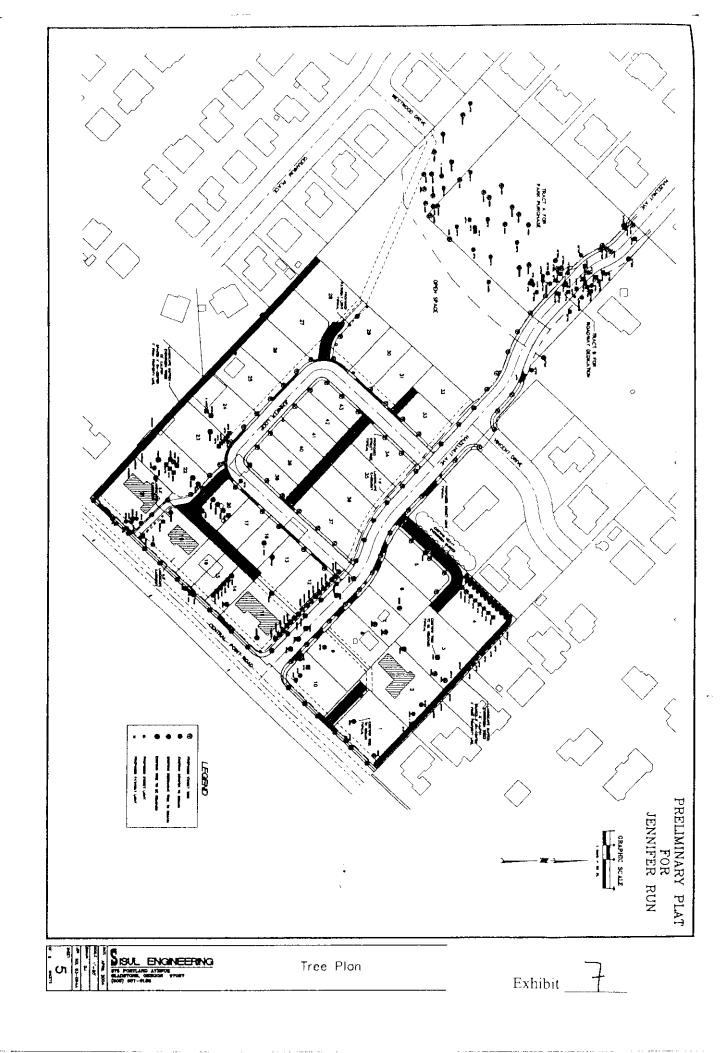
PHOTO DATE: 2/26/04

Photo 3 - Water Resource Area, Tax Lot 600, looking northeast.

## HYZZTAN, YX MCINITY MAP MUF DEVEL OPMENT INC. 1616 SE REEDWY PORTLAND, OR 97202 DEVELOPED BY: PROPOSED|PARK SITE D PRELIMINARY PLAT TAX LOT 300, 301, 302, 400, 401, 402, 500 & 600 MAP 35-1E-12(0) CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON JENNIFER RUN ¥ ۶ 1 ŧ ¥ 23 ā ŭ SSL. ENCALENA 375 PORTLAND AVE. GLADSTONE, OR. 97027 (503) 657-0188 ¥QEX DESCRIPTION COVER PRECIMINARY LAYOUT EXISTING CONDITIONS UTILITY PLAN GRADING AE EROSION CONTROL PLAN TREE PLAN PLANED UNIT DEVELOPMENT PLAN SETBACK & PAKKING PLAN SURROUNDING NEGHBORHOOD LANDSCAPING PLAN LANDSCAPING PLAN LANDSCAPING PLAN LANDSCAPING PLAN CRAPHIC SCALE 13 APRIL 2004 Exhibit







CHARLE MEMORIAL

July 5, 2004

Dear Neighbor,

I am a land owner in your neighborhood and also live close by. Oregon City is where I was born and raised and will continue to reside.

It is very important for me to see responsible development in our community as I'm sure it is to you. I am impressed with the proposed application of several unique and attractive elements that MJF Development has installed. Some if these are: 1) a neighborhood park that the City will construct. 2) the preservation of the mature trees along the west side of our properties. 3) the correction of the water that runs through our land. 4) the road connection of the bordering subdivision. 5) finally, the wide sidewalks, street lights, pathways to the park and landscaping will add value and improve safety for all our families.

I previously have considered other developers to purchase my land. It was however, not financially feasible for those developers to build homes with 10,000 square foot lots with the requirements of the City for a park, a road accessing Central Point Road, and the new regulations protecting the fish with the water run-off. A planned unit development works best for consideration of the value of our land.

At the neighborhood meeting that was previously held, there were voices that are opposed to this development. I believe that a person should be able to use their property as they choose so long as they are within the laws and building regulations of the City. It seems as though we are loosing more of our freedoms every day. Progress is an inevitable part of our lives and I try to play a positive role in it.

I am encouraged by what MJF Development is planning and I believe this development is good for the community. I hope that you will support our efforts to improve the livability of our city. Please feel free to contact me anytime. Thank you for your time and consideration.

Sincerely,

Rick Dotson (503) 657-0500

Exhibit \_\_\_\_\_

To: Oregon City Planning Commission, Oregon City Planning Department.

Regarding: File number PD 04-01 and WR 04-09.

Applicant: Mike Flury.

Having reviewed above stated file, I strongly support and recommend approval of this plan.

The major benefits to City and local home owners are:

A needed City Park.
Preserves the grove of trees.
Maintains open space.
Solves the water drainage issue.
Develops the 12 acre site.

Other benefits for the City and new housing ownerships.

Fits affordable housing into existing neighborhood with minimal impact. Helps Oregon City meet Metro and State density requirements. A City Park outside new owner's front doors.

This plan shows that the City can work with owners and developers, to provide enhanced livability in Oregon City.

This plan provides something of significant benefit to everyone, yet no one gets everything they might have wanted.

Thank you for the opportunity to comment, and again I recommend approval of the plan .

Verner E. Johnson 19882 S. White Ln.

Oregon City, Or. 97045

Exhibit \( \frac{Q}{}

From: Carlone Crawford 11822 Skellenger Way Re: File No. PD 04-01 and WR 04-09 In Favor of the Development clam in favor of the project!

1) The total plan by Mr. Flum olemo
sound 2) Elt will preserve quite a bit of the natural woodland that still exists. exter. 3.) ett will improve Central Print road with sidewalks and lighting 4) Most of the lots will be 10,000 sq ft.

with a few smaller lots. which onego

This area will be developed, Since Mr. Flury appears to have considered the neighborhood, it would be prefirable that sus plan de accepted. Mank you for your consideration; Carline C Exhibit 10

Oregon City Planning Division Oregon City Hall 320 Warner Milne Road Oregon City OR 97045

RE: File Number PD 04-01 and WR 04-09

Dear Sirs and Madams,

This letter is to inform you that we <u>ABSOLUTELY OPPOSE</u> the approval of the planned unit development on sites Map 3S-1E-12D, Tax Lot 300, 301, 302, 400, 401, 402, 500 and 600; as requested by applicant/owner MJF Engineering – Mike Flury and represented by Tom Sisul – Sisul Engineering and Chris Cocker – Planning Livability LLC.

We have no desire to see our neighborhood turned into a multi-family living situation. Past experience has seen neighborhoods deteriorate and become unmanaged when converted to multi-family. Not to mention the lowering of value on our single-family houses. We also feel there is no need for a park in our neighborhood. The majority of the home owners in the neighborhood have 10,000 square foot or larger lots and a can put out our own picnic tables in our yards. There are plenty of watershed and nature habitats established fulfill our need of green spaces.

Central Point Road is already in bad condition and the further adding of yet more traffic, in addition to the 93 houses that were added within the two years on the east side of the road between Partlow and Skellenger, would make Central Point a continuous stream of cars that would damage the road even further. We've seen no plans to improve that roadway and it's one of the worst in the hilltop area.

Skellenger Way is already treated by the majority of drivers as a raceway from Central Point Road to Hazel Grove Drive. No need to mention the risk involved for pets and children. There are no stop signs at the intersections of Vincent Drive and Westwood Drive; as a resident of Vincent Drive we have seen many near misses, collisions and have cleaned up glass from unseen collisions at those intersections because drivers feel they have the right-of-way from all sides. Skellenger Way has the added traffic from the Parrish neighborhood as most seem to feel Skellenger Way is a better drive than Parrish Road to get to Geranium Place and Kolar Drive. If you feel that speeding traffic is not an issue we suggest checking your records and seeing as to why you approved speed bumps on Hazelnut.

Please, **DO NOT**, approve the plan to construct the proposed Planned Unit Development. Thank you for your time and consideration.

Sincerely,

cott & Sherri Rirkpatrick

19429 S Vincent Drive

Oregon City OR 97045

503-656-1919

Exhibit \_\_\_\_

July 11, 2004

Members of the Oregon City Planning Commission

I would like to indicate my strong opposition to the proposal listed as file numbers PD 04-01 and WR 04-09 ("Jennifer Run").

The parcel of land in question is among R-10 neighborhoods. There are no attached housing tracts anywhere near this area and there would be no buffer zone between these attached dwellings and surrounding neighborhoods. Why suddenly drop an R-3.5 planned unit in the middle of R-10's?

I am opposed to changing the zoning on that parcel of land -which is located in the middle of an area containing R-10 lots — with any higher density lots.

The traffic impact alone would be grounds for denial of this proposal. Considering that neither Central Point Road nor Hazelgrove Drive/Filbert Dr. is capable of handling the kinds of traffic that would be generated by a 43 unit PUD. Adding approximately 172 additional daily trips in this area of the city is beyond what the roads are currently designed to handle.

The zoning is currently R-10 on these lots and would best serve the community and the city if they were to remain as R-10. I have no problem if the applicant wishes to re-divide these parcels into R-10 lots that are more appropriate and would be welcomed in this neighborhood.

Sincerely

Marguerite O'Brien

19364 S. Hazelgrove Dr.

Warqueute D'Brien

Oregon City, OR 97045

July 11, 2004

Members of the Oregon City Planning Commission

I would like to comment on the proposal listed as file numbers PD 04-01 and WR 04-09.

Changing the zoning on parcels of land, which are located in the middle of an area that contains R-10 lots with homes, does not make sense. Why would anyone consider placing an R-3.5 planned unit development in the middle of an R-10 neighborhood?

The traffic impact alone would be grounds for denial of this proposal. Considering that neither Central Point Road or Hazelgrove Drive/ Filbert Dr. are capable of handling the kinds of traffic that would be generated by a 43 unit PUD. Recently the city found it necessary to install two speed bumps for traffic control purposes on Filbert Drive. Adding approximately 172 additional daily trips in this area of the city is beyond what the roads are currently designed to handle.

McLoughlin grade school would also struggle to handle additional students created by this development in addition to the other new R-8 developments the planning commission has already approved in this area of the city.

The zoning is currently R-10 on these lots and would best serve the community and the city if they were to remain as R-10. I have no problem if the applicant wishes to re-divide these parcels into R-10 lots that are more appropriate to his development needs.

Sincerely

Tom O'Brien

19364 S. Hazelgrove Dr.

Oregon City, OR 97045

Planning Dept- Oregon City
Re; File Number PD 04-01 and WR 04-09
Applicant/ MJF Engineering
Owner/ Mike Flury

July 11, 2004

Dear Tony Konkol (Contact Person),

I am Robert M. Hendricks Jr., owner of home at 19428 Hazel Grove, whose property backs on said development. I have lived here since Dec 8, 2000. We purchased this R-10 property with the knowledge that the land in question would be developed in the future and was also. R-10 property. This was clearly the intent for future development. and is in character with the surrounding properties. PUD'S are clearly an attempt to circumvent the existing zoning to the detrirment of existing owners. We, my wife and I, are not opposed to development of this property with-in the spirit of good faith in the existing zoning (R-10). To change this without a vote on zoning is an example of "government" running rough-shod over our rights. (Or do we not have any rights?) Mr. Flury heard our concerns at the meeting held to inform us of his intent but by his own admission, when questioned as to his response to our concerns, was not in anyway concerned with our input after 2 hours of community members expressing our disapproval and asking for reconsideration. What was the purpose of the meeting if his plan remained the same. (perhaps no significant change is grounds for denial like Walmart) The Park is a good idea, save the trees, but not at the price of small lots, common walls, poor access roads for fire protection from alley type access and narrow streets. We who live here have to live with your decision. Make the right one and deny this project and ask for full development in the character of this neighberhood R-10.

Sincerely,

Robert M Hendricks Jr.

Exhibit 14

RE: Proposed Jennifer Run Subdivision File Number: PD 04-001 and WR 04-09

JUL 12 /M II: 07 From: Kevin Cayson 19441 S Vincent Dr. Orebon City: Oregon 1970497 MINION CITY 503-789-4570

I would like to submit the following issues of the Jennifer Run Subdivision to the record.

- 1. The P.U.D does not fit the character of the existing surrounding neighborhoods most are 8,000 to 13,000 square feet lots.
- 2. The proposed 10 foot wide landscape areas on the west side of hazelnut Ave, and adjacent to central point will be areas that will lack maintenance as is evidenced with the already unmaintained areas that are present along Central point rd connected to past developments. These areas become wastelands that are out of sight out of mind of homeowners once fences go up.
- 3. There are no environmental or development constraints that limit the use of these properties. The "Urban drainageway" or "Drainage Swait" that is often referred to as a reason for the PUD is not an area highlighted in the City of Oregon City's "Water Quality and Flood Management Areas Map" (Wetland Determination figure 3A city of Oregon City Wetland Inventory) as a "Water quality resource area overlay district" a wetland, a potential vegetation corridor, a wetland vegetated corridor, or a stream. The property is not in the Flood Management Overlay District for FEMA 100 year flood or in the 1996 flood inundation area. No wetlands were found on the site. The property is not subject to State wetland jurisdiction. The subject property is not a recognized water resource. The swail is simply storm water from the adjacent development, (Hazelgrove 4) that only flows when there are significant rains and could and should be piped and buried. The "Urban drainageway" or "Drainage Swait" is no excuse for the proposed PUD and it should be developed with 10,000 square ft lots.
- 4. The developers numbers on density in the surrounding neighborhoods are misleading and should be more carefully examined. I.E. Hazel grove, Westling Farms, Hogan's Bluff 4 all are large lot subdivisions.
- 5. All houses in the Hogan's Bluff subdivision were required to have fire suppression systems, this should also be a consideration in Jennifer Run as the narrow street widths and on street parking would not allow fire trucks to make the turns on Jennifer loop.
- 6. Sidewalks should be necessary along both sides of Hazelnut Ave.
- 7. With John Mcloughlin school within walking distance to this development the developer is placing far too much importance on the recreational aspect of the proposed park. The developer is required to have a minimum of 20% open space. By selling the city land for the proposed park and donating the 20% open space to the city he is doing nothing more than skirting the proposed "Homeowners Association" is responsibility to maintain the open space and transfers maintenance responsibility to the city.
- 8. The application does not meet Policy 9.1.4. This pud is not compatible with the allowed zoning an is not compatible with existing neighborhoods.
- 9. The density transfer within this PUD does not demonstrate compatibility with adjacent residential development.
- 10. The proposed homeowners association will bear a heavy burden of maintaining open spaces, private streets w/lighting, numerous landscape features, paved accessways, private alleys, private utilities, shared fences, tree plantings. Who will police the homeowners association? This seems like a convenient way to get around some street width issues and density problems by creating an association. With one of the listed goals being affordable housing I wonder how many people looking for affordable housing could afford costly association dues?
- 11. Alley off Jennifer loop serves too many lots, lots (34 thru 43)
- 12. On street parking on Jennifer Loop will cause a problem for large trucks trying to navigate the turns that are not radiused, street is only 28 feet in places and with on street parking on both sides of the street that number goes down to 12 feet it is not likely that with cars parked on both sides a Fire truck, garbage trucks, or delivery truck could make these turns.
- 13. Jennifer loop street has no radius on the inlet or outlet. It is a substandard street that should not be allowed be it public or private.

Kevin Cayson 07/10/04

Exhibit 5

PD04-1 & WR04-09 Jennifer Run

Mike Henry 11830 Skellenger Way Oregon City, OR 97045

To the City of Oregon City,

I am a resident of the Hazel Grove development adjacent to the proposed Jennifer Run PUD. I am opposed to the project designed by MJF Development.

We have been lengtime residents of Clackamas County and Oregon City. Our home purchase on Skellenger Way was based on R-10 zoning for the area, wide streets, and a desire to not be in crowded housing.

The proposed PUD designation is being used to increase revenue per square foot for MJF Development. The obvious goal is to privatize any street that doesn't meet code, get around the R-10 zoning, & turn an unbuildable area over to the city to develop as a park (at taxpayer expense).

Jennifer Run is very close to the UGB and should be part of the transition from urban living to rural area. Jamming attached housing together with limited street parking, tight rear access, and small lot size doesn't make the urban to rural transition effectively.

Privatizing Jennifer Loop will result in a street too narrow for effective fire access, limit on street parking, and cause danger for children, pedestrians, bike riders, and other cars. Many homes in the adjacent developments have RVs, boats, extra cars and trucks, etc on their property. I would challenge MJF's assumption that the families in the attached housing would be empty nesters (with only one car). It is just as likely to be a mix of families, many of which will require additional street space for parking and maneuvering. Will Jennifer Run be designated no RVs, boats, or other trailers?

Most of the housing present and future in this area is zoned R-10. This patch of small lots and crowded housing doesn't fit the rest of the area. I simply don't understand how 43 lots in 6.74 acres can be within 80% of the R-10 designation. It must be the new math my kids are bringing home.

Every response in the application discusses the nonexistent park. MJF missts this 3.5 acre park will magically appear will nonspecific benefits. However, MJF plans on reducing lighting (again against the code) for this area. The unbuildable area is an intermittent stream (now called an open swale). My fear is that the park Oregon City is trying to get will end being a holding pond surrounded by cyclone fence. Will MJF provide rafts and rowboats for residents to enjoy this "park"?

It is obvious the PUD designation is being used to maximize revenue, bypass code, and give Oregon City the job of dealing with drainage. Oregon City and its residents will live with the housing developed here for a long time, let's make coherent, cohesive decisions instead of bypassing code for a few extra dollars per square foot.

Mike Henry

HEULIVED TH

Exhibit 10



Meeting Date: 7-26-04

Sent On: 7-19-04

Number	Recipients	Sent
10	Copies for Front Table	F
1	PC Binder	F
1	Front Counter	F
1	Dan Drentlaw	F
1	Tony Konkol	F
1	Christina Robertson-Gardiner	A
1	Sean Cook	Д
1	Larry Patterson	F
1	Bob Cullison	Α
1	Nancy K	Α
1	City Recorder	Α
1	Fire Department	А
1	Public Works	Α
1	Police Department	A
1	Library	F
1	Carnagie Center	F
1	Pioneer Center	F
5	City Commission	Α

<sup>\*</sup>In addition to the names on the following page

Total:

CICC Chairman/Hillendale Nbrhd

Julie Hollister
12304 Clairmont Way
on City, OR 97045

Barclay Hills Nbrhd Assoc. Elizabeth Klein, Land Usc 13569 Jason Lee Drive Oregon City, OR 97045

Canemah Nbrhd Assoc. Howard Post, Chairman 302 Blanchard Street Oregon City, OR 97045

Caufield Norhd Assoc. Cathi VanDamm 15092 S. Persimmon Way

Oregon City, OR 97045

Caufield Nbrhd Assoc. Mike Mermelstein, Land Use 20114 Kimberly Rose Drive Oregon City, OR 97045

Gaffney Lanc Nbrhd Assoc. Joan Schultze 19413 Stillmeadow Drive Oregon City, OR 97045

Hazel Grove / Westling Farm N/A Kathy Hogan, Chairman 19721 S. Central Point Road Oregon City, Oregon 97045

Hillendale Nbrhd. Assoc. Debbie Watkins, Co-Chairman 13290 Clairmont Way Oregon City, OR 97045 McLoughlin Nbrhd Assoc. Denyse McGriff, Land Use 815 Washington Street Oregon City, OR 97045

McLoughlin Nbrhd Assoc. Dean Walch, Co-Chairman 516 Madison Street Oregon City, OR 97045

Park Place Nbrhd. Assoc. Ralph and Lois Kiefer 15119 Oyer Drive Oregon City, OR 97045 Park Place Nbrhd. Assoc. Don Slack 16163 Widman Court Oregon City, OR 97045

Rivercrest Nbrhd. Assc. Diane McKnight, Chairman 161 Barclay Avenue Oregon City, OR 97045 Rivercrest Nbrhd. Assoc. Patti Brown, Land Use P.O. Box 1222 Oregon City, OR 97045 South End Norhd. Assoc. Karen Montoya, Chairman 137 Deerbrook Drive Oregon City, OR 97045

South End Nbrhd. Assoc. Kathy Robertson, Land Use 210 Elmer Drive Oregon City, OR 97045

Canemah Neighborhood Assoc. Alan Shull 713 5<sup>th</sup> Place Oregon City, Oregon 97045 Canemah Neighborhood Assoc. Shirley Smith 416 S. McLoughlin Blvd. Oregon City, Oregon 97045

Garvey Schubert Barer
Bill Kabeiseman
121 SW Morrison Street, 11<sup>th</sup> Floor
Portland, Oregon 97204

ALL

Planning Commission
Linda Carter
1145 Molalla Avenue
Oregon City, Or 97045

Planning Commission
Lynda Orzen
14943 Quinalt Ct.
Oregon City, Or 97045

# 6 L-

Planning Commission
Dan Lajoie
143 John Adams Street
Oregon City, OR 97045

Planning Commission
Tim Powell
819 6<sup>th</sup> Street
Oregon City, OR 97045

Planning Commission
Renate Mengelberg
2263 South Gilman
Oregon City, Or 97045

# LC

143 John Adams Street
Oregon City, OR 97045

ACL

DJC Kurt Shirley PO Box 10127 Portland, OR 97296

Oregonian Metro South-News 365 Warner-Milne Road, Ste. 110 Oregon City, Oregon 97045 Attn: Steve Mays

C 1ah Neighborheod Assoc.
James Roddey
709 5th Place
Oregon City, Oregon 97045

Rene Hinneberg

AV Tech

2580 Cambridge Street
West Linn, OR 97068

Godg

AVERY®

PO/WR

**■** AVERY®

gnitring sent mat

Mike Flury 1616 SE Reedway Street ortland, Oregon 97202 Sisul Engineering – Tom Sisul 375 Portland Avenune Gladstone, Oregon 97027 Chris Cocker 3452 NW Vaughn Street Portland, Oregon 97210