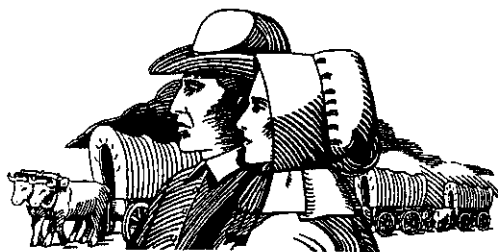


# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER MILNE ROAD  
TEL (503) 657-0891

OREGON CITY, OREGON 97045  
FAX (503) 657-7892



## AGENDA

City Commission Chambers - City Hall

February 10, 2003 at 7:00 P.M.

**\*\*\*PLEASE NOTE: THE FEBRUARY 12, 2003 PLANNING COMMISSION WORK SESSION IS CANCELLED\*\*\***

### PLANNING COMMISSION MEETING

- 7:00 p.m. 1. **CALL TO ORDER**
- 7:00 p.m. 2. **PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**
- .05 p.m. 3. **HEARINGS:**  
**VR 02-10** (*Request for a Continuance to February 24, 2003*); Great American Development: Joe Spaziani; Request for a continuance of the Planning Commission Hearing for a Variance to increase the maximum cul-de-sac length by 50 feet for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.
- 7:10 p.m. **VR 02-14** (*Quasi-Judicial Hearing*); Pan Pacific Retail Properties: Roger Shirley; Request for a variance to the sign ordinance for height and allowable signage for a freestanding sign at the Oregon City Shopping Center identified as Clackamas County Map 2S-2E-29, Tax Lot 1800 and located at 1900 SE McLoughlin Boulevard.
- 8:00 p.m. 4. **NEW BUSINESS:**
- 8:05 p.m. 5. **ADJOURN**

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



# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER-MILNE ROAD OREGON CITY, OREGON 97045  
TEL (503) 657.0891 FAX (503) 722.3880



**TO:** Planning Commission

**FROM:** Tony Konkol, Associate Planner

**DATE:** February 3, 2003

**SUBJECT:** File # VR 02-10 (Great American Development: Cul-de-sac length increase)

---

The applicant has requested that the Planning Commission continue the hearing for the above referenced file to February 24, 2003 (Exhibit 1). The reason for this request is so that Great American Development, Sisul Engineering, and the City may further discuss the design options and alternatives for the project site concerning the proposed cul-de-sac and potential future connections to South End Road.

Staff recommends a continuance of the public hearing for the increased cul-de-sac length variance request (File VR 02-10) to the date certain of February 24, 2003.

# SISUL ENGINEERING

*A Division of Sisul Enterprises, Inc.*

375 PORTLAND AVENUE, GLADSTONE, OREGON 97027

(503) 657-0188

FAX (503) 657-5779

February 3, 2003

City of Oregon City  
320 Warner Milne Road  
Oregon City, OR 97045

ATTN: Tony Konkol

RE: VARIANCE REQUEST, CITY FILE VR 02-10 (JO SGL02-062)

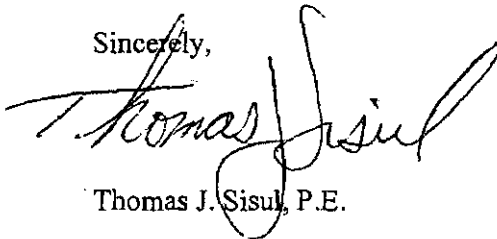
Dear Tony:

We are requesting a further continuance of the public hearing for the above-mentioned project, VR 02-10. The public hearing, to be held before the Planning Commission, is currently scheduled for Monday, February 10, 2003.

This request for continuance is to allow more time for City staff to study South End Road intersection connections, and the effects of future connections to existing and future traffic patterns.

If you have any questions regarding this request, please feel free to contact us at any time.

Sincerely,



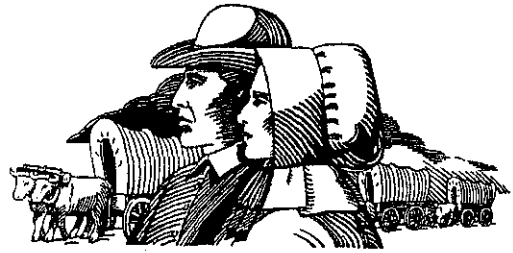
Thomas J. Sisul, P.E.

# CITY OF OREGON CITY

## Type III Limited Land Use Decision

320 WARNER MILNE ROAD  
TEL 503-657-0891

OREGON CITY, OREGON 97045  
FAX 503- 657-7892



### STAFF REPORT

Date: January 31, 2003

**FILE NO.:** VR 02-14: (Sign)Variance

**FILE TYPE:** Quasi-Judicial

**HEARING DATE:** February 10, 2003  
7:00 p.m., City Hall  
320 Warner Milne Road  
Oregon City, OR 97045

**APPLICANT'S  
REPRESENTATIVE:** Tube Art/ Sign and Sport  
4243A SE International Way  
Milwaukie, Oregon 97222  
Attn: Dan Osterman

**APPLICANT/ OWNER:** Pan Pacific Retail Properties  
13635 NW Cornell Rd #160  
Portland, Oregon 97229  
Attn: Roger Shirley

**REQUEST:** Requesting a variance to the sign ordinance for height and allowable signage for a freestanding sign at the Oregon City Shopping Center.

**LOCATION:** 1900 SE McLoughlin Blvd, Clackamas County Map 2-2E-29, Tax Lot 1800 (Oregon City Shopping Center)

**REVIEWER:** Sean Cook, Associate Planner  
Bill Kabeiseman, Assistant City Attorney  
Dan Drentlaw, Community Development Director

**RECOMMENDATION:** Staff recommends denial of VR 02-14

**VICINITY MAP:** Exhibit 1

## **BACKGROUND:**

The applicant is seeking a variance to the height and allowable signage for a freestanding sign located at the Oregon City Shopping Center. Illustrations with dimensions of the sign are presented in Exhibit 2. The applicant's narrative and additional information is presented in Exhibit 3.

Based on information provided by the applicant, the Oregon City Shopping Center was constructed in approximately 1961. The Oregon City Shopping Center provides approximately 240,000 square feet of shopping space. In 2000, the shopping center underwent a large-scale renovation of the complex. The existing freestanding sign for the complex is the original sign constructed with the shopping center. This sign is currently non-conforming to the standards of the Oregon City Municipal Code. The activities proposed by the applicant consist of structurally altering or remodeling the existing non-conforming sign to match the architectural features and colors of the shopping center as it was renovated in 2000. The sign code prohibits the altering or replacing a non-conforming sign without bringing the sign into compliance with current standards.

Staff must review the request for a variance based on the current sign regulations and dimensional standards, not against the dimensions of the existing non-conforming sign. As such, the applicant is requesting a variance to height and allowable signage. The current maximum height allowed by the sign code is 30 feet. The applicant is requesting a sign height of 55 feet 6 inches. Additionally, the applicant is asking for a variance to the allowable signage per sign face. The current maximum allowed signage per sign face is 150 square feet. The applicant is requesting signage of 443 square feet. (A brief summary and description of the existing sign is presented in Exhibit 4.)

**Non-Conforming Status Summary:** The current sign code was adopted in 1994. As such, the existing freestanding sign at the Oregon City shopping center is non-conforming based on height and allowable signage. As described in 15.28.090, signs lawfully erected and maintained as of 1994, but which do not meet the requirements of this chapter, shall be regarded as nonconforming signs and may be continued for a period not to exceed ten years (2004) for the purpose of amortization of investment of the sign....(see Section 15.28.090 for more details).

As charged by the sign code, City management, and legal council, staff may be pursuing the compliance of this code section in 2004. If an approval of this variance were granted, the requested sign would become legal and would not be subjected to non-conforming status.

Staff supports any owner that wishes to maintain and improve the image of their signs. However, the excesses in height and allowable signage are significantly above the standards and are not permitted by the Oregon City Sign Code.

## **BASIC FACTS:**

1. **Zoning/Permitted Use:** The subject property is the Oregon City Shopping Center, which is zoned "C" for General Commercial.
2. **Surrounding Uses/Zoning:** Surrounding land uses are as follows:
  - West: The properties west of the subject site are zoned Commercial, including a McDonald's Restaurant and a Hotel.
  - North: The properties north of the subject site are zoned Commercial.
  - East: The properties east of the subject site are zoned "M-2" Heavy Industrial.
  - South: The property south of the subject site consists mainly of the I-205 Interchange and the I-205 Freeway.
3. **Comments:** Transmittals on the proposal were sent to various City departments, affected agencies, property owners within 300 feet and the Park Place Neighborhood Association. No comments were received from property owners or the Park Place Neighborhood Association.
4. **Standards for Signs in Commercial Zones (OCMC 15.28.080):**

In the LOC, LO, NC, HC, LC, C, CBD, M-1 and M-2 zoning districts, the following signs are allowed:

Free-standing signs, so long as a permit is first obtained as required by this chapter and the following standards are met:

- a. One freestanding sign shall be permitted for each street frontage of a premise, provided minimum subdivision lot frontage of thirty feet is met. No freestanding sign shall be permitted on the same frontage where there is a projecting or roof sign.

**Analysis: One freestanding sign for the Oregon City Shopping Center is present along the McLoughlin Blvd frontage.**

The following table summarizes free-standing sign area and height limits:

| Street Frontage (in feet) | Maximum Display Surface Area (square feet) | Maximum Area of Any One Sign Face (square feet) | Maximum Height (in feet) |
|---------------------------|--|---|--------------------------|
| Up to 50                  | 50   | 25  | 25                       |
| 50 - 200                  | 100  | 50  | 25                       |
| 201+                      | 101 - 300                                  | 51 - 150  | 30                       |

b. Area. Where the street frontage is less than 50 feet, the maximum display surface area shall not exceed 50 square feet, with 25 square feet maximum area per sign face. Where the street frontage is greater than 50 feet but less than 200 feet, surface display area shall not exceed 100 square feet, with 50 square feet maximum area per sign face. Where the street frontage is 200 feet or greater, the surface display area shall not exceed 300 square feet, with a maximum area of 150 square feet per sign face. Display surface area means the total area (both sides) of a sign that is available for displaying advertising or an informational message. In no case shall any sign have a surface display area in excess of 300 square feet.

**Analysis: The subject property has more than 200 feet of street frontage. Therefore, they are allowed the maximum of 150 square feet per sign face with a total of 300 square feet combined both sides. The requested sign has 443 square feet per sign face with a total of 886 square feet combined both sides.**

c. Projection. Freestanding signs shall not project over a public right-of-way.

**Analysis: The freestanding sign will not project over the public right-of-way.**

d. Clearance. A minimum clearance of 10 feet from grade shall be maintained over pedestrian or vehicular areas, 14 feet over areas of truck access.

**Analysis: The applicant reports that the freestanding sign has a clearance of 15 feet from grade.**

e. Horizontal Dimension. The greatest horizontal dimension shall not exceed 20 feet for any freestanding sign.

**Analysis: The freestanding sign has a 17-foot horizontal dimension.**

f. Height. The height of any freestanding sign shall not exceed 25 feet above grade, plus 5 feet for each 200 feet, or portion thereof, frontage in excess of 200 feet frontage. In no event shall any sign exceed 30 feet in height.

**Analysis: The sign with proposed changes is 55 feet 6 inches in height.**

#### **15.28.090 Nonconforming signs and their removal.**

Any (non-conforming) sign which is structurally altered, relocated or replaced shall immediately be brought into compliance with all applicable provisions of this chapter.

**Analysis: The requested non-conforming sign is proposed to be structurally altered as a part of the variance request.**



## DECISION-MAKING CRITERIA:

### Municipal Code Standards and Requirements

#### Title 15 and 17:

Chapter 15.28 Signs

Chapter 17.32 General Commercial

Chapter 17.50 Administration and Procedures

### ANALYSIS:

#### 15.28.040 Sign Variances.

A. Grounds for Variance. Upon application by an applicant, the planning commission may grant a specific variance from provisions of this chapter provided all of the following circumstances exist:

1. *Exceptional or extraordinary circumstances apply to the property that do not apply generally to other properties in the same area or vicinity. Such conditions may be the result of an unusual location or orientation of the applicant's building, topography, vegetation or other circumstance over which the applicant has no control;*

**Analysis:** The applicant has stated that the exceptional and extraordinary circumstances that impact this property are mainly the close proximity to the I-205 interchange and the setback nature of the main buildings of the shopping center from McLoughlin Blvd frontage. The applicant feels that the setback nature of the buildings limits the ability for those tenants to have the appropriate amount of signage and visibility. Staff finds that adequate signage is provided by the sign code in two forms. Firstly, each tenant in the shopping center is allowed to have a wall sign that is 2 times the tenant's frontage. Secondly, the shopping center is allowed to have a freestanding sign that advertises the presence of a shopping center with several of the anchor tenants. Staff finds that the setback nature of the buildings provides a beneficial visual attraction that a shopping center is present as opposed to a distraction. The close proximity to I-205 provides the visibility of the shopping center from I-205, which is seen as a benefit as opposed to a negative circumstance. Staff finds that the applicant has not shown that negative exceptional or extraordinary circumstances apply to this site that do not apply to the neighboring properties.

2. *The variance is necessary for the preservation of a right of the applicant substantially the same as is possessed by the owners of other property in the area or vicinity;*

**Analysis:** The variance would allow the applicant to have a legal sign that is larger than the property owners in the vicinity. This variance does not appear to preserve a right of the applicant, but rather to allow a larger sign than the nearby property owners.

Staff finds that this criteria has not been met.

3. *The authorization of the requested variance will not be materially detrimental to, or conflict with, the purposes of this chapter or be injurious to the use and enjoyment of other property in the area or vicinity, or the public way, in which the property is located;*

**Analysis:** The applicant states that the granting of this variance will not be detrimental to any adjacent property owners, businesses or the community. The applicant states further that the repainting and remodeling of the sign will make a strong, fresh, and positive statement about the image and prosperity of the community. Additionally, the applicant states that an old sign at the front door the Oregon City Shopping Center detracts from the overall appearance of the center.

This standard states that the authorization of the requested variance will not be in conflict with the purposes of this chapter. One of the identified purposes of the sign code stated in 15.28.010 is *to prohibit signs or portions thereof, which demand attention by their dominating size*. Staff finds that the applicant's request based on height and allowable signage is in conflict with this purpose. The sign code is designed to allow signage, but to limit the size to the criteria identified in the sign code.

Staff finds that this criteria has not been met.

4. *The variance requested is the minimum variance necessary, to alleviate the identified hardship.*

**Analysis:** The applicant has not shown that the sign requested is the minimum size needed to adequately advertise the tenants of the shopping center. Likewise, the applicant has not provided the City with any evidence that other alternatives have been pursued to alleviate the situation. Staff finds that no actual hardship has been identified in regards to signage. Additionally, the existing freestanding sign, which is larger than currently allowed by the Oregon City sign code, still does not appear to be adequate based on the further request for a variance. The applicant has not shown that their request is the minimum to alleviate their situation.

Staff finds that this criteria has not been met.

#### **CONCLUSION AND RECOMMENDATION:**

Based on the analysis and findings as described above, staff concludes that the proposed sign variance does not meet the standards as stated in OCMC 15.28.040. Therefore, staff recommends that the Planning Commission upholds staff's decision and denies file# VR 02-14 for the property located at 1900 SE McLoughlin Blvd in Oregon City.

EXHIBITS:

1. Vicinity Map
2. New Proposed Sign
3. Applicant's Narrative and Submittal
4. Existing Sign with Dimensions

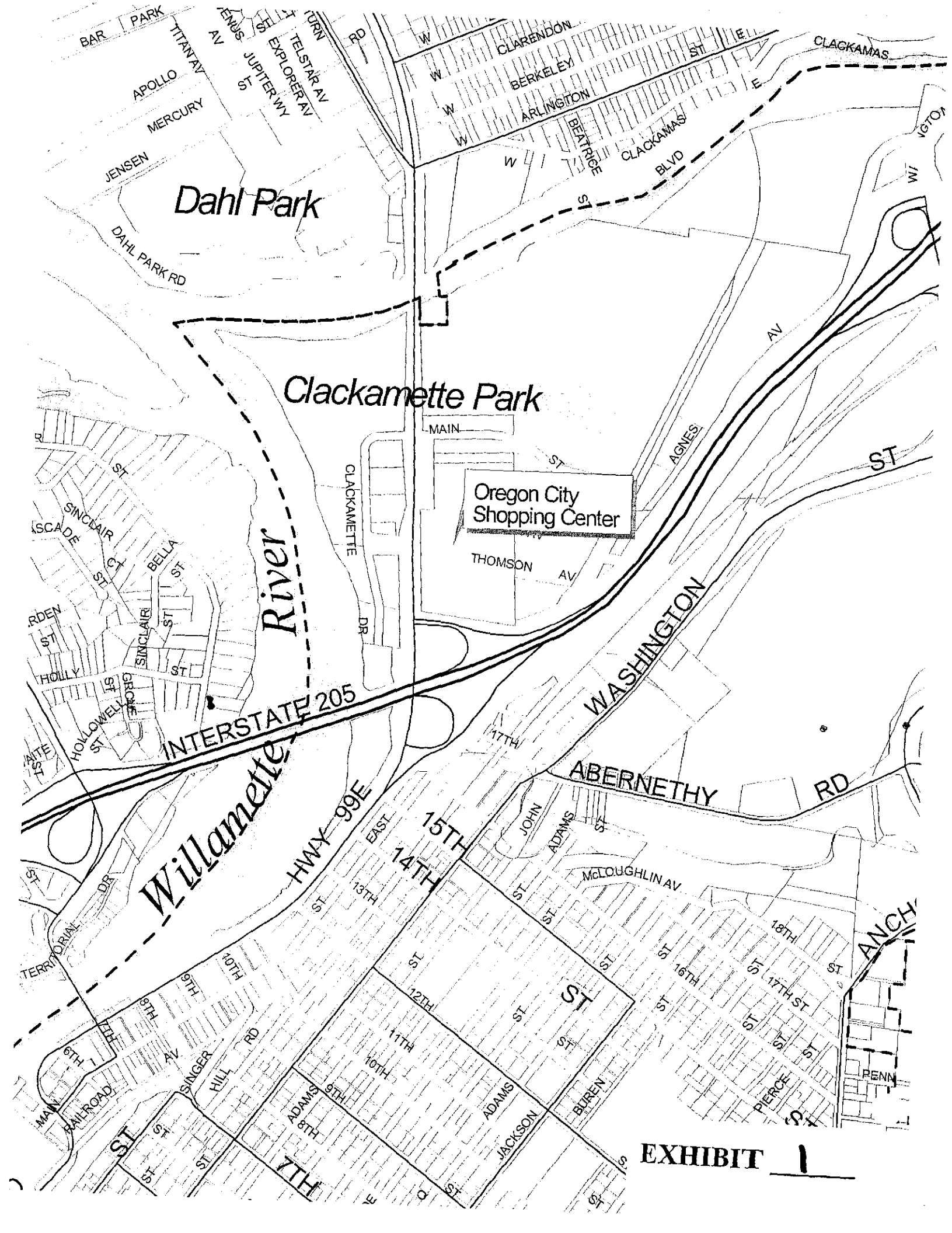


EXHIBIT 1



# PAN PACIFIC

## RETAIL PROPERTIES

PNP  
LISTED  
NYSE

November 18, 2002

Tony Konkol  
Associate Planner  
City of Oregon City  
320 Warner-Milne Road  
Oregon City, OR 97045

RE: Oregon City Shopping Center

Dear Tony:

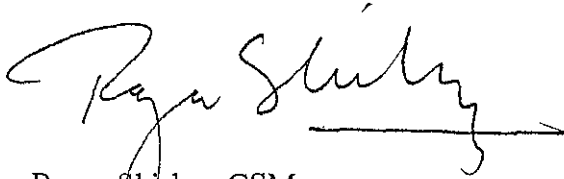
The Oregon City Shopping Center has served the community since 1961 and recently underwent a million dollar exterior renovation. The center is unique, providing 240,000 sf of shopping space. Anchor and smaller, specialty merchants require and deserve exposure and signage identification. Pan Pacific Retail Properties, the owner, is working diligently to produce this vital exposure, while facing inherent site difficulties/hardships to promote the success of each business within the center. Exceptional and extraordinary circumstances apply to this property. This challenge does not apply, generally, to other properties in the same area. Such conditions to be considered are the following: the properties proximity to the I-205 Interchange, the interchange cloverleaf, the added traffic density provided by the entrance to the interchange and the close proximity of the entrance to the center. Also, the main buildings of the center, and thus storefront signage, are set back approximately 450 feet from the right of way on McLoughlin Blvd., substantially further than surrounding businesses--presenting a distinct disadvantage for these stores. This presents a difficult and challenging situation in identifying the businesses at the center. All of these conditions present special difficulties to the property and require proper and adequate identification to accommodate the users.

The pylon sign for the property is a significant and exceptional historic landmark in Oregon City and when repainted and modified will make a strong, fresh and positive statement about the image and prosperity of the community and Oregon City business, in general. The new sign remodel proposed is unique in appearance and design and the proposed surface area changes are less than 1%. The design is outstanding in its visual impact and, very importantly, matches the recent design and décor style and changes made to all of the buildings of the shopping center. An old sign at the "front door" to the property significantly detracts from the overall appeal of the center, which is vital to the

success of the merchants. Pan Pacific has had difficulty leasing the vacant space at this center, much more so than other Portland-area markets, in large part because of lack of the incentive of adding a new tenant to the pylon sign, announcing their existence at the shopping center. This additional signage is absolutely critical to their leasing efforts.

The work done will not be detrimental to any adjacent property or business and is beneficial to the users, the surrounding businesses, and the community for the reasons described above. Thank you for your consideration in approving this project.

Sincerely,

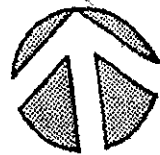
A handwritten signature in cursive script, reading "Roger Shirley". The signature is written in dark ink and includes a long horizontal flourish extending to the right.

Roger Shirley, CSM  
General Manager, Oregon Properties

# VICINITY MAP

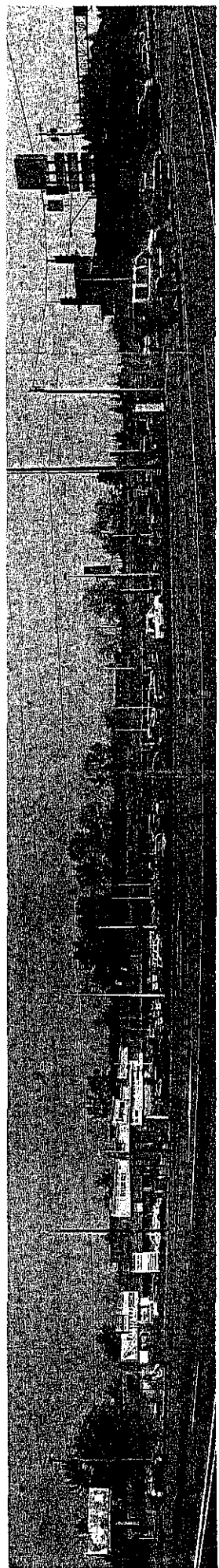
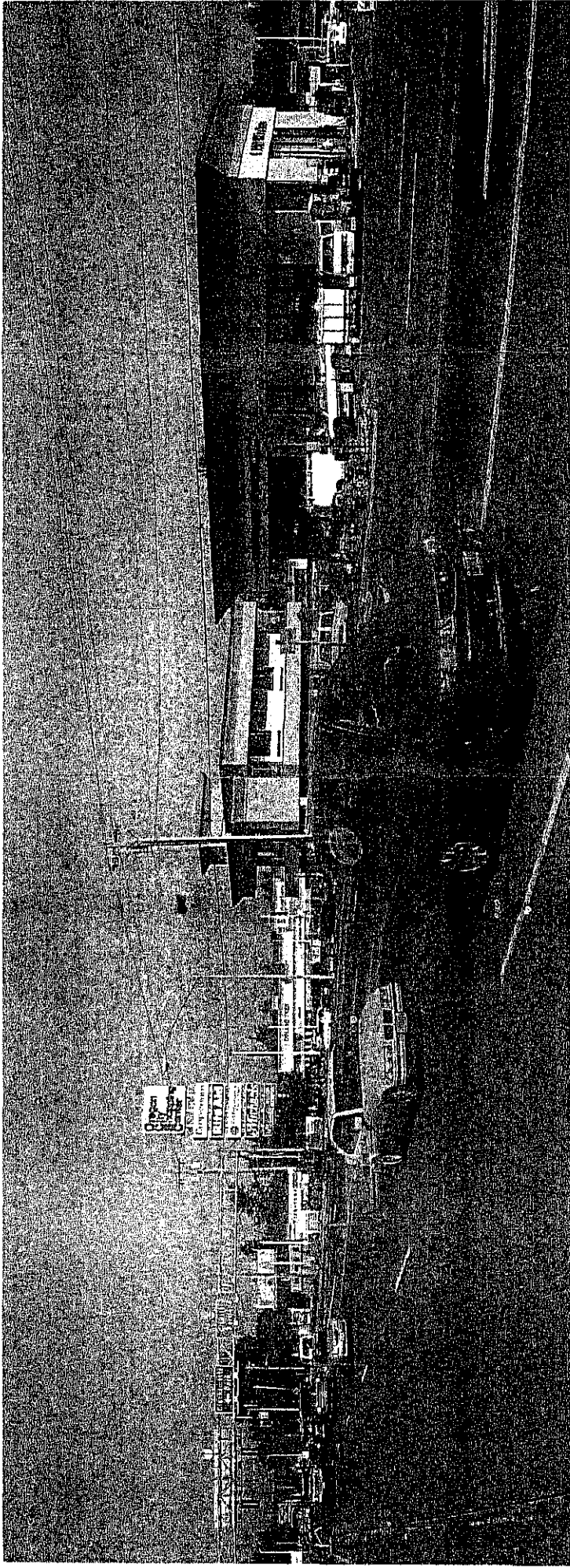


OREGON CITY, OREGON

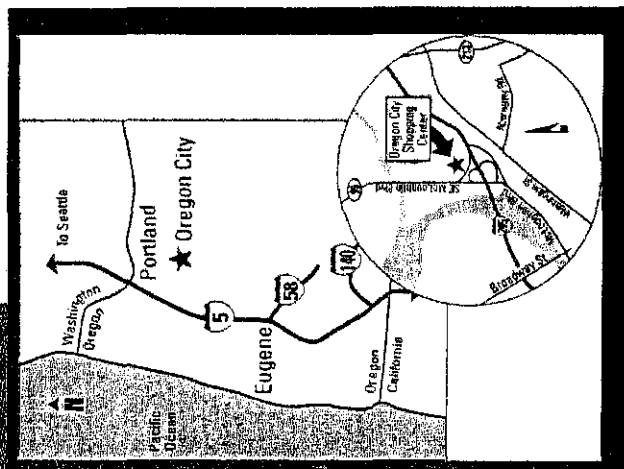








**PAN PACIFIC**  
RETAIL PROPERTIES



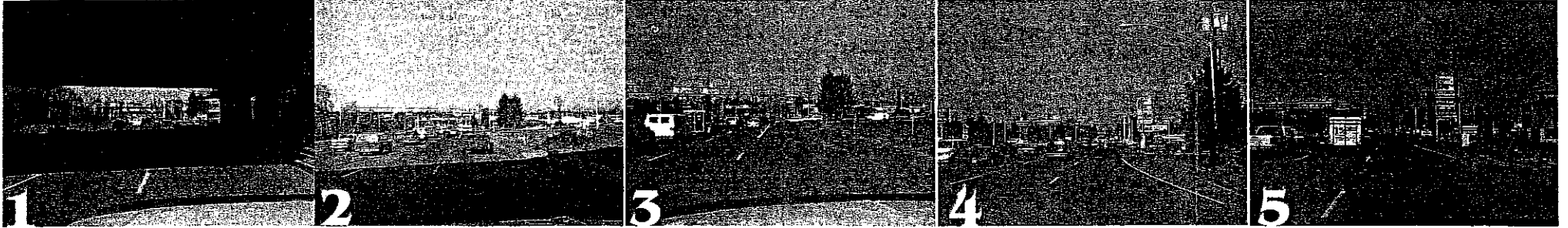
**PAN PACIFIC**  
RETAIL PROPERTIES



## Southbound Sequence



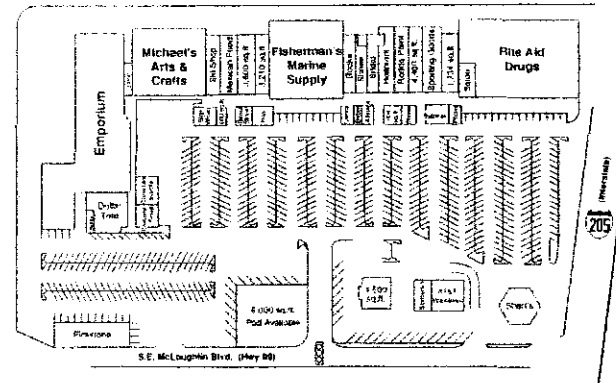
## Northbound Sequence



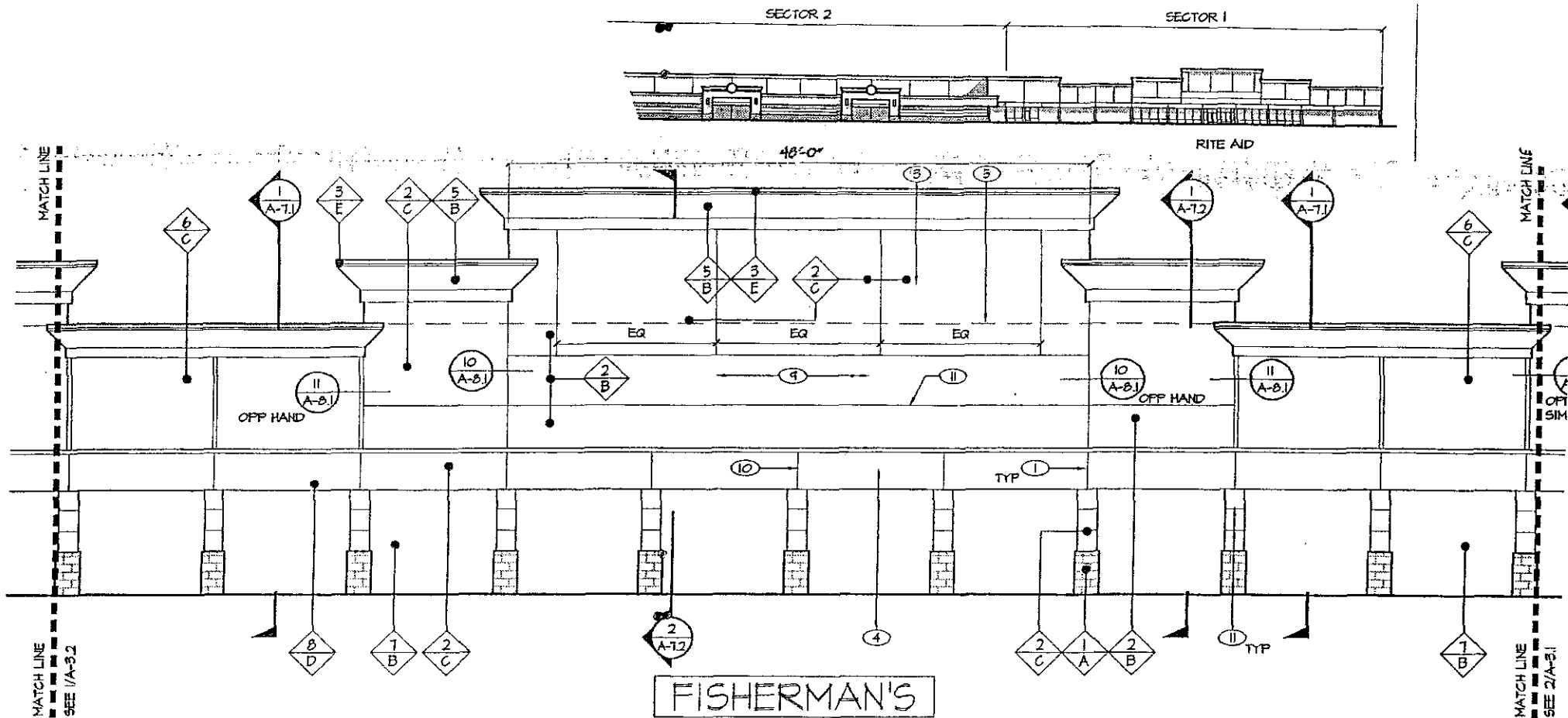
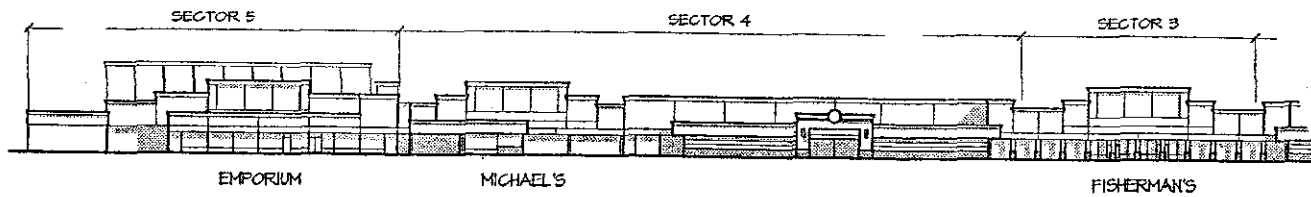
99e NB to I-205 SB on ramp



I-205 SB to 99e exit ramp

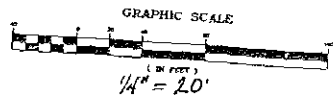


**PAN PACIFIC**  
RETAIL PROPERTIES



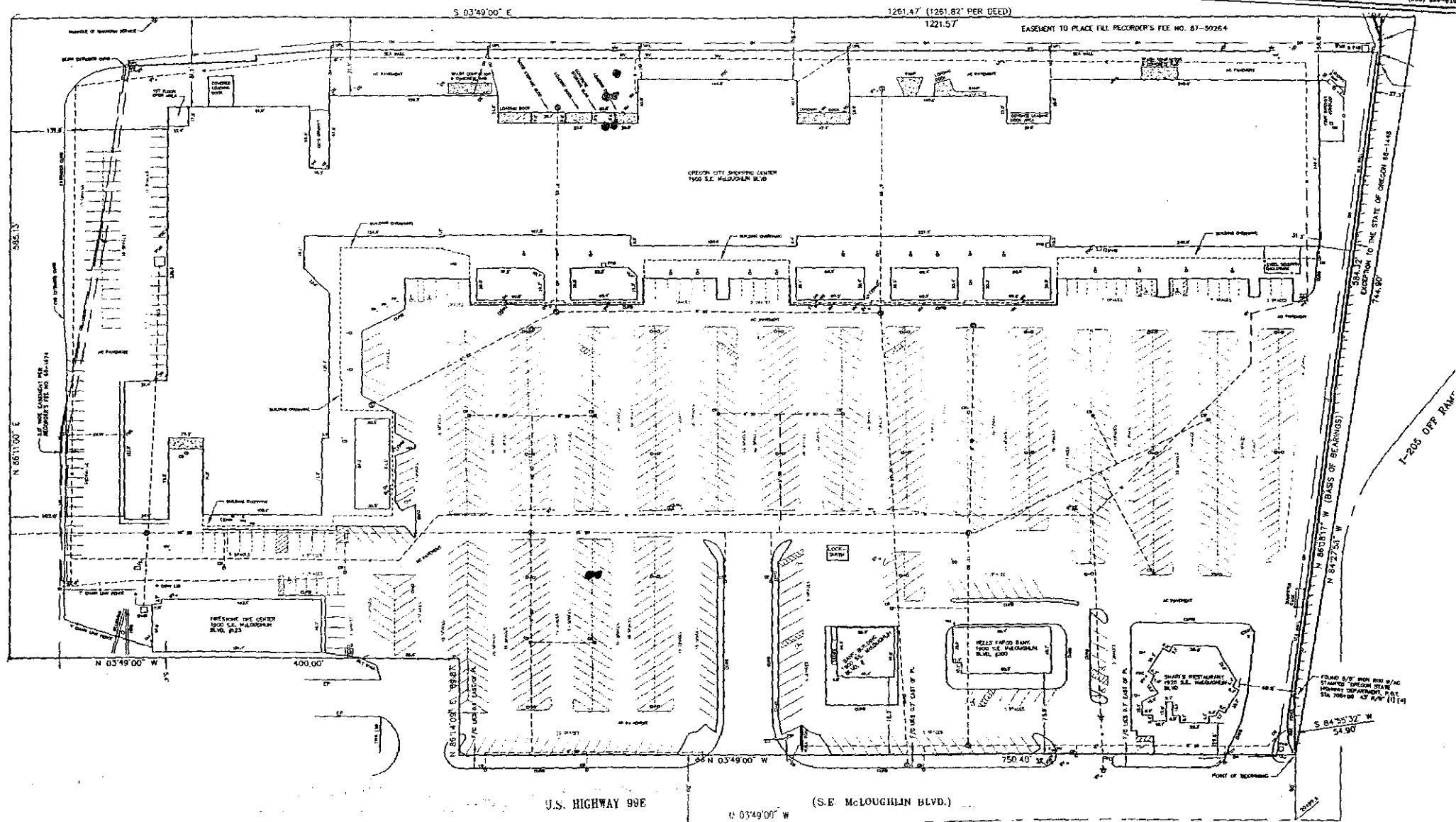
WEST ELEVATION - SECTOR #3

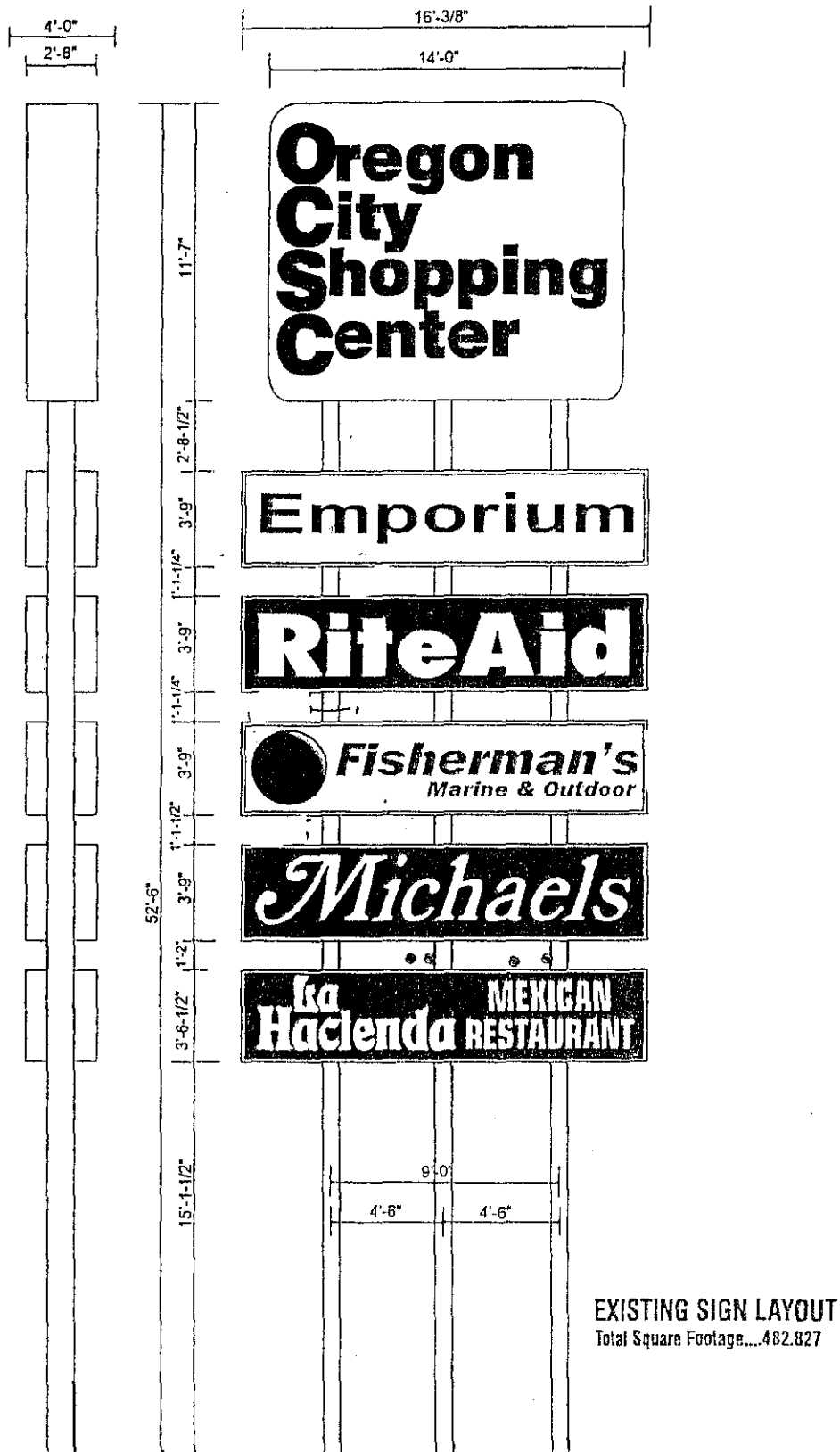
SCALE: 1/8"=1'-0"



A.L.T.A. \ A.C.S.M. LAND TITLE SURVEY  
OREGON CITY SHOPPING CENTER  
FOR: PORTLAND FIXTURE LIMITED PARTNERSHIP  
OREGON CITY CLACKAMAS COUNTY OREGON

**WESTLAKE**  
CONSULTANTS INC.  
ENGINEERING • SURVEYING • PLANNING  
PACIFIC CORPORATE CENTER  
10111 S.E. REGIONAL PARKWAY, SUITE 180  
TIGARD, OREGON 97144  
(503) 884-0555  
FAX (503) 884-8101





**TubeArt**  
Signs & Sports Displays  
4243A DE International Way  
Millsboro, DE 19966  
Tel: 803-653-1133  
Fax: 803-653-1131

|                  | City Code  | Existing Sign  | Proposed Sign with Variance |
|------------------|------------|----------------|-----------------------------|
| Max. Sign Height | 30 ft      | 52 ft 6 inches | 55 ft 6 inches              |
| Max Area         | 150 sq. ft | 482.8 sq. ft   | 443 sq. ft                  |

enter The original artwork is protected under Federal Copyright Law. Make no reproductions of this design without prior written permission from TubeArt.

**EXHIBIT 4**

8

9

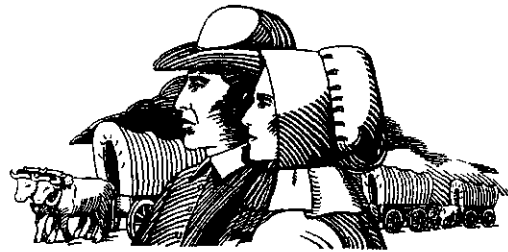


# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER MILNE ROAD  
TEL (503) 657-0891

OREGON CITY, OREGON 97045  
FAX (503) 657-7892



## REVISED AGENDA

City Commission Chambers - City Hall

February 10, 2003 at 7:00 P.M.

**\*\*PLEASE NOTE: THE FEBRUARY 12, 2003 PLANNING COMMISSION WORK SESSION IS CANCELLED\*\***

**\*\*\*THE OREGON CITY PLANNING COMMISSION AND CITY COMMISSION WILL HOLD A JOINT WORK SESSION FROM 7 pm to 8 pm\*\*\***

### PLANNING COMMISSION MEETING

- 7:00 p.m. 1. **CALL TO ORDER**
- 7:01 p.m. 2. **PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**
- 7:05 p.m. 3. **WORK SESSION:**  
Highway 99E/McLoughlin Boulevard Plan  
(*Dan Drentlaw*)
- 8:00 p.m. 3 **HEARINGS:**  
**VR 02-10** (*Request for a Continuance to February 24, 2003*); Great American Development: Joe Spaziani; Request for a continuance of the Planning Commission Hearing for a Variance to increase the maximum cul-de-sac length by 50 feet for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.
- 8:05 p.m. **VR 02-14** (*Quasi-Judicial Hearing*); Pan Pacific Retail Properties: Roger Shirley; Request for a variance to the sign ordinance for height and allowable signage for a freestanding sign at the Oregon City Shopping Center identified as Clackamas County Map 2S-2E-29, Tax Lot 1800 and located at 1900 SE McLoughlin Boulevard.
- 8:55 p.m. 4. **NEW BUSINESS:**
- 9:00 p.m. 5. **ADJOURN**

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



---

# McLoughlin Boulevard Enhancement Plan

---

## PROJECT GOALS

Third Draft 1-21-03

### General

- Enhance mobility for pedestrians, bicycles and transit.
- Reconnect downtown Oregon City to the Willamette River.
- Support adjacent land uses.
- Balance regional goals with local needs.

### Streetscape

- Make McLoughlin a safe, pleasant, green place to walk.
- Create a consistent and memorable image for McLoughlin that reflects the history and character of Oregon City.
- Create an attractive, functional frontage for properties adjacent to McLoughlin.

### Pedestrians

- Provide safe, attractive pedestrian crossings at all intersections along McLoughlin.
- Emphasize pedestrian circulation between downtown, Clackamette Park, and Oregon City Shopping Center.

### Bicycles

- Ensure that bicyclists can ride safely along and across McLoughlin.
- Enhance bicycle access to destinations along McLoughlin.

### Transit

- Improve transit access.
- Improve transit service.

### Motor vehicles

- Provide a safe corridor for vehicle travel.
- Maintain an acceptable level of service.
- Reduce single-occupant-vehicle trips within the regional center.

### Implementation

- Develop a preferred plan for McLoughlin Boulevard enhancements that includes:
  - Pedestrian crossings.
  - Streetscape.
  - Wider sidewalks.
  - Riverfront promenade.
  - Bicycle and transit facilities.
  - Selected roadway widening near I-205.
- Identify a segment of McLoughlin Boulevard for the first phase of reconstruction.

### Public Participation / Interagency Coordination Objectives

- Ensure meaningful review and input from citizens, stakeholders and public agencies.
- Provide a general understanding of costs and potential trade-offs.
- Ensure that the preferred plan is consistent with local, regional and state plans and policies.
- Identify opportunities and constraints associated with project goals.
- Develop criteria for evaluating alternative designs that are consistent with project goals.



# McLoughlin Boulevard Enhancement Plan

**Planning Commission Workshop**  
Monday, February 10, 2003

**City staff and the consultant team** will conduct an interactive workshop on the McLoughlin Boulevard Enhancement Plan. Input from the planning commission will guide the project team as it analyzes opportunities and constraints.

## **The agenda will include**

1. **Welcome, introductions and project update:** 10 minutes
  - Review of work to-date.
  - Powerpoint slides of existing conditions.
2. **Opportunities and constraints:** 20 minutes
  - Urban design.
  - Traffic and transportation.
3. **Discussion:** 15 minutes
  - Project goals and evaluation criteria.
  - Relationship between the McLoughlin Boulevard Enhancement Plan and redevelopment in the regional center.

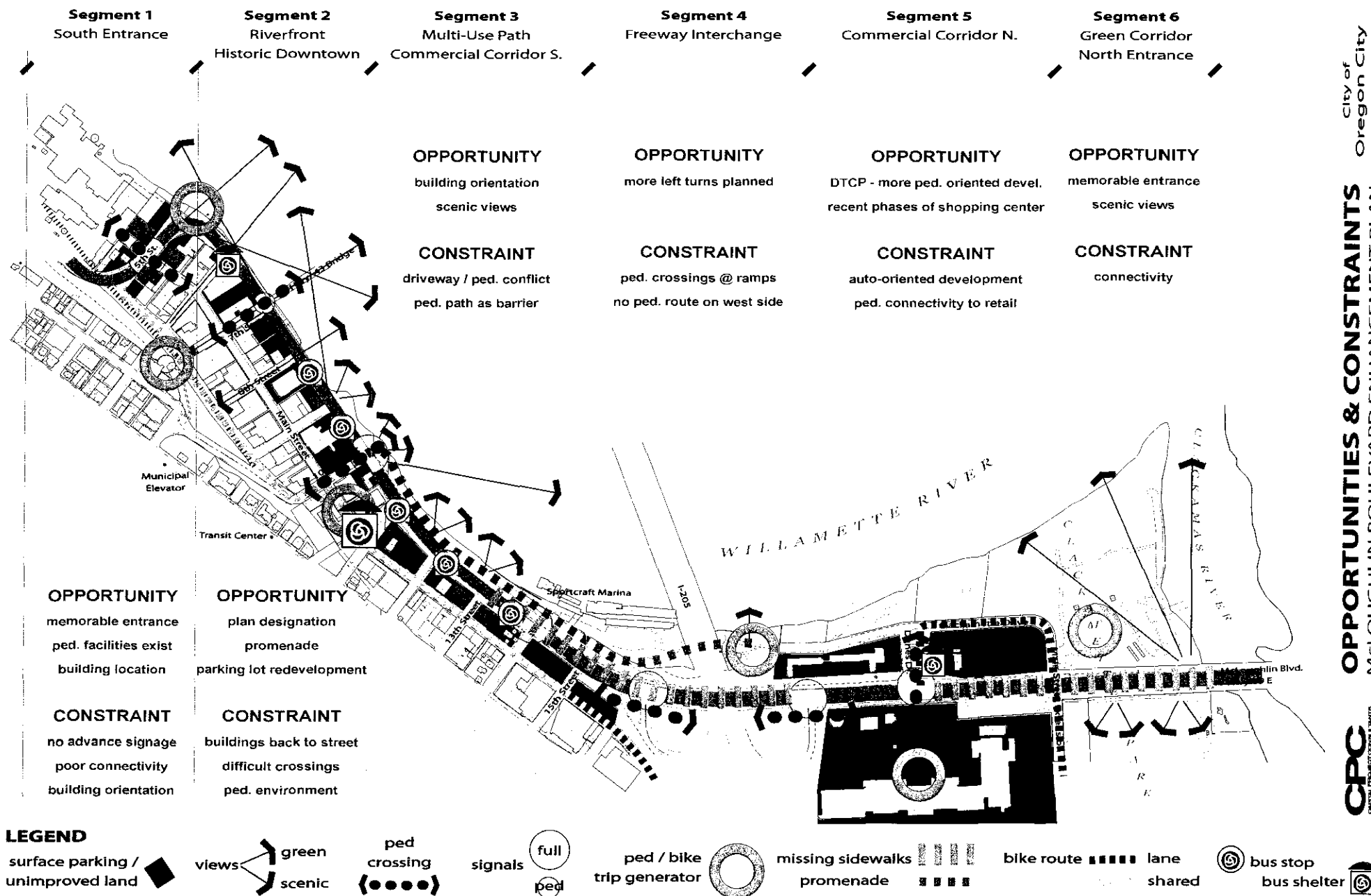
## **Enclosures:**

- Project goal statement
- Opportunities & constraints map
- Design toolbox



*This project is funded by a grant from the Transportation and Growth Management Program,  
a joint program of the Oregon Departments of Transportation and Land Conservation & Development,  
and by the City of Oregon City*









---

## McLoughlin Boulevard Enhancement Plan

### DESIGN TOOLBOX

Preliminary DRAFT 1-23-03

#### PEDESTRIAN

|                             |
|-----------------------------|
| <b>Improve Safety</b>       |
| Curb Ramps (ADA compliance) |
| Crosswalks                  |
| Relocate Obstacles          |
| <b>Improve Convenience</b>  |
| Curb Extensions             |
| Wide Sidewalks              |
| Median Refuge               |
| Pedestrian Signals          |

#### STREETSCAPE

|   |
|---|
| <b>Improve Street Furnishings</b>             |
| Street Trees                                  |
| Planter Strips / Landscaping                  |
| Ornamental Lighting                           |
| Trash Cans / Recycling                        |
| Attractive Signage                            |
| Telephones                                    |
| Benches                                       |
| Kiosks  |
| Banners                                       |
| Drinking Fountain                             |
| <b>Improve Buildings</b>                      |
| Façade Improvements                           |
| Sidewalk Orientation                          |
| <b>Provide Special Feature / Place Making</b> |
| Paving  |
| Pocket Park / Public Place                    |
| Gateways                                      |
| Public Art                                    |

#### BICYCLES

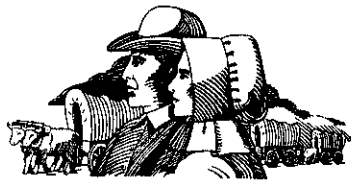
|                            |
|----------------------------|
| <b>Improve Safety</b>      |
| Lanes                      |
| Signals / Crossings        |
| <b>Improve Convenience</b> |
| Racks                      |
| Lockers                    |

#### TRANSIT

|                                     |
|-------------------------------------|
| <b>Implement Streamlining Goals</b> |
| Improved Bus Stop                   |
| Priority Signalization              |
| <b>Improve Convenience</b>          |
| Shelters                            |

#### VEHICLES

|                            |
|----------------------------|
| <b>Improve Safety</b>      |
| Reduce Speed               |
| Synchronize Signals        |
| Consolidate Driveways      |
| Center Turn Lane           |
| <b>Improve Convenience</b> |
| Narrow Travel Lanes        |
| On-Street Parking          |
| New Signals                |



# CITY OF OREGON CITY

INCORPORATED 1844

Community Development Department  
Planning Division

P.O. Box 3040 - 320 Warner Milne Road - Oregon City, OR 97045  
Phone: (503) 657-0891 Fax: (503) 722-3880

**TO:** Planning Commission  
**FROM:** Tony Konkol: Associate Planner  
**DATE:** March 3, 2003  
**RE:** VR 02-10: Supplemental Information

---

Dear Commissioners:

Staff has prepared this memorandum to provide additional information in response to the letter entered into the record at the January 24, 2003 Planning Commission Hearing as Exhibit A from Mr. TenBrook of Black Helterline LLP. The memorandum first addresses whether there are any safety issues with a direct connection to South End Road. Next, the memorandum will address some of the planning issues discussed in Mr. TenBrook's letter.

## **Safety Issues**

The Oregon City Engineering Department has prepared a memorandum indicating that there is adequate site distance at the desired intersection to be created across from Rose Road and that the reduced spacing distance will not cause a safety hazard at this location (Attachment A). It is important to recognize that Longstanding Court to the north is a cul-de-sac that does not function as typical local-street that provides automobile connectivity to surrounding neighborhoods. Based on these facts, the City Engineer, as the decision-maker, has determined that an intersection can be safely connected on the northern property line.

## **Planning Issues**

The TSP provides policies and guidelines for the development of the transportation system that are then implemented into the existing development pattern of the City. The TSP indicates that the most important considerations in the classification of street networks are accessibility and mobility. The conflict between providing access to local land uses and serving the through travel demand can be significant because, typically, as accessibility increases, mobility decreases. Finding a balance between the adjacent land use needs and the mobility of regional traffic - and providing long term stability - requires increased street connectivity.

The TSP does state, as the applicant points out, that a transportation system with good connectivity is characterized by a smoothly transitioning, purpose-orientated hierarchy of roadway links. The remainder of this sentence continues on to say that the transportation system should minimize out-of-direction travel and provide users with transportation choices from among multiple travel routes and modes (TSP 5-1 1). As a

matter of policy, it is important to have a transportation system design that utilizes a hierarchy of street classifications for connectivity. This does not mean that a hierarchy street design is the only way that connections may be made. A local street does not have to access a collector street in order to access an arterial street. A balance must be determined, by the decision-maker, which provides for the hierarchy of street designs and alternative transportation routes to provide sufficient connectivity for an accessible street network that provides adequate mobility.

As depicted on Attachment B, several cul-de-sacs have been constructed in the area, severely limiting the transportation connectivity options for the area. The design of the Hazel Grove 3 subdivision to the east of the property is lacking east to west connections, and is funneled through Filbert Drive. The McLoughlin School to the south of the site prevents a north-south route through this area, once again limiting connectivity options. The existing conditions of a larger area than the subject site and the abutting properties must be considered by the City for a functional transportation system to exist, and alternatives must be provided based on existing design constraints and limitations.

There are currently two connections, Filbert Drive and Salmonberry Drive, which provide connectivity to South End Road from the developments to the east. A third street, identified in the TSP as a neighborhood collector, is Parrish Road to the south. This route will require a bridge over an existing creek to complete the connection to South End Road. The three neighborhood collector connections to South End Road do not preclude the connection of local streets to South End Road, where appropriate, to provide for a well-connected transportation system with alternative routes in the South End area. A street connection to South End from this site has been determined as preferable to a cul-de-sac by the City Engineer to meet the overall transportation system goals of providing a safe, interconnected transportation system.

The connection of a local street to a minor arterial is not prohibited. The function of a minor arterial, such as South End Road, is to distribute traffic from arterials to collector and local streets. As described earlier, as access increases, mobility is impacted. As Attachment B demonstrates, there is no other location between Filbert Lane and Partlow Road, a distance of approximately 1,130 feet, which could provide a connection to South End Road and an alternative access route other than Filbert Lane. There are not an excess number of accesses to South End Road, rather; the connections are limited, reducing the transportation routes and options.

The TSP indicates that neighborhood collectors intersecting minor arterials shall be spaced 800 feet apart and the placement of a local street must be 400 feet from the neighborhood collector. The intersection spacing identified in the TSP would provide a development pattern on a minor arterial of a neighborhood collector, a local street 400 feet away, followed by another neighborhood collector 400 feet from the local street. The placement of a through street on this site would exceed the 400-foot separation from Filbert Drive. The street would be approximately 300 feet from Longstanding Court, which is a cul-de-sac and does not function as a connected local street. Considering the Comprehensive Plan and TSP goals and policies, OCMC, existing conditions, site location, and the opportunity to provide a safe alternative connection that increases transportation route options, staff has recommended, with the City Engineer's approval, that a cul-de-sac is not sufficient and that connection should be provided.

Oregon City Municipal Code section 16.12.100 indicates that the City "discourages" the use of cul-de-sacs except where construction of a through street is found by the decision-maker to be impracticable due to existing development patterns, or arterial access restrictions. The City has determined that it is not impracticable for the construction of a through street and that a connection to South End Road will provide additional transportation routes and increased automobile connectivity. To date, the applicant has refused staff requests to demonstrate the feasibility of a connection to South End Road.

The neighbors have indicated both a desire for the connection of this subdivision to South End Road and traffic calming on Filbert Drive. Staff's intention has not been to be unresponsive to the applicant's offer for providing traffic calming in lieu of a connection, staff completely supports the placement of traffic calming on Filbert Drive by the applicant; however, staff has determined that a street connection is preferable to the proposed cul-de-sac to serve the development, surrounding community, and City transportation system. Staff has not ignored the applicant's proposal; rather we have indicated that Filbert Drive traffic calming does not alleviate the need for a connection to South End to meet the larger goals of connectivity, circulation, and travel route options.

Based on the facts contained in the Staff Report dated February 24, 2003 and this memorandum, Staff would recommend denial of VR 02-10.

Attachments:

- A. Oregon City Engineering Department memorandum dated March 3, 2003
- B. South End Road Map

# City Memo

**Date:** March 3, 2003

**To:** **Tony Konkol; Associate Planner**  
**Bob Cullison; Engineering Manger**

**Cc:**

**From:** ENGINEERING - Dean R. Norlin, P.E.; Senior Engineer

**RE:** South End Road Estates Sight Distance for the Proposed Rose Road Connection. (VR02-10 & TP02-03)

---

The purpose of this memo is to review the sight distances and alignment for a proposed local street connection to South End Road at the existing intersection of Rose Road.

South End Road fronting the proposed South End Estates Subdivision is A City Road and classified as Minor Arterial in the Oregon City Transportation System Plan (TSP).

The posted speed limit on South End Road is 40MPH. The South Road horizontal alignment in this area is straight and the vertical alignment is fairly flat, slopes approximately 0.7% northwest of Rose Road and 1.3% to 2% southwest of Rose Road.

There is very good sight distance along South End Road on the proposed Rose Road extension. Looking to the northeast down South End Road from the proposed Rose Extension the Partlow Road intersection can be seen which is approximately 675 feet away. Looking to the southwest down South End Road from the proposed Rose Road Extension the intersection of Shelby Rose drive can be seen which is approximately 700 feet away. Basically the sight distances along South End Road from the Rose Road extension are in excess of 700 feet.

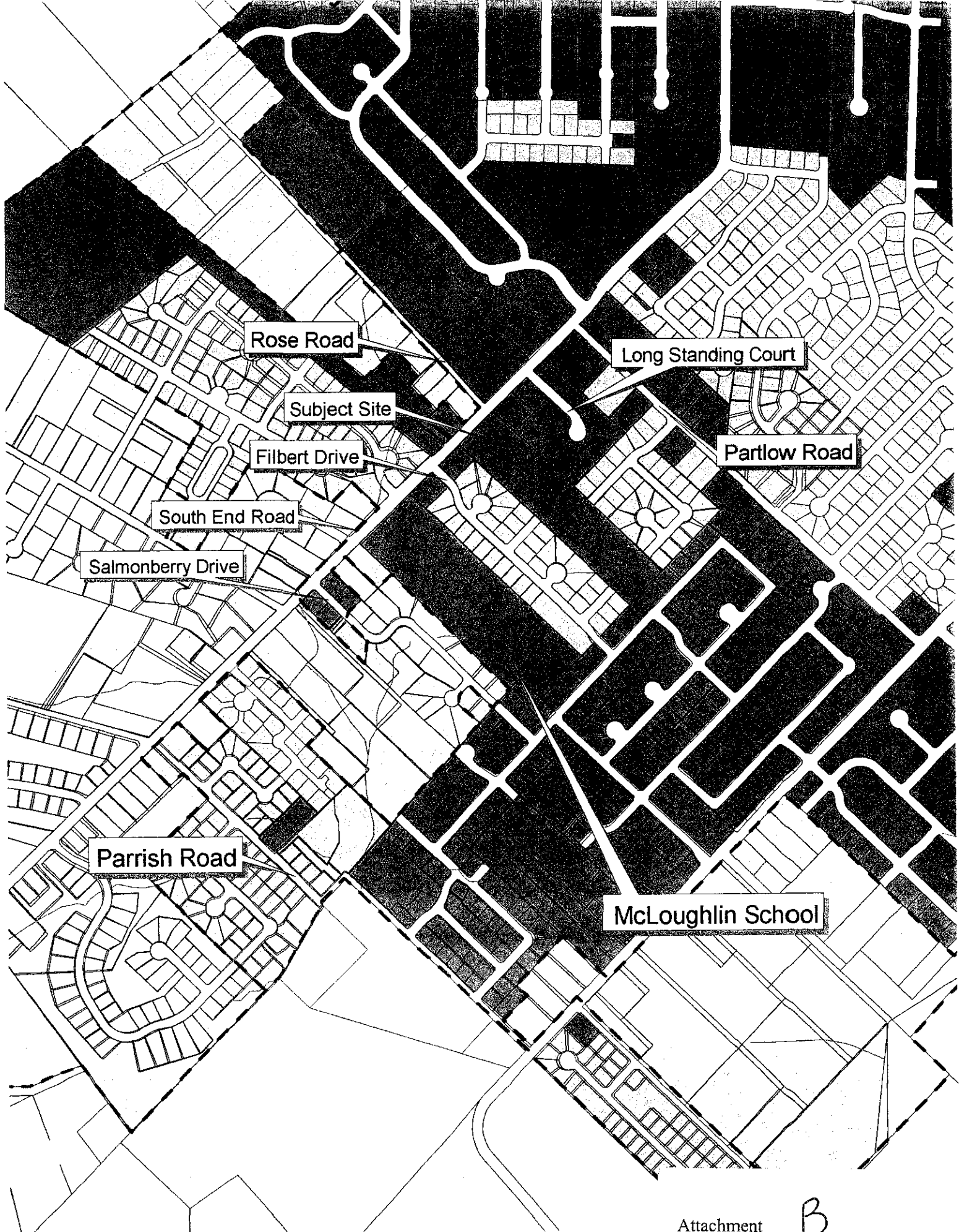
Clackamas County sight distances for a local street connecting to a minor arterial inside the Urban Growth Boundary is 400 feet and out side the Urban Growth boundary are 550 feet. The American Association of State Highway and Transportation Officials (AASHTO) design manual requires a intersection sight distance for a stopped passenger car to turn left onto a two lane highway with no median, grades less then 3% and a highway design speed of 40 MPH is 445.

As can be seen the existing sight distances exceed both Clackamas County and AASHTO design requirements.

The applicant has not provided any survey data, which shows the alignment of Rose Road and their property. A visual observation of the site was made and it appears that the proposed South End Subdivision could construct a local street on their site that would align with Rose Road. The centerline alignments would be less than 10-feet.

If you have any questions please contact me @ (503) 496-1550, or ext. 150.

Dean





**CITY OF OREGON CITY  
PLANNING COMMISSION WORK SESSION  
January 13, 2003**

**PLANNING COMMISSIONERS PRESENT**

Chairperson Carter  
Commissioner Main  
Commissioner Mengelberg

**STAFF PRESENT**

Sean Cook, Associate Planner  
Dan Drentlaw, Planning Director  
Nancy Kraushaar, City Engineer  
Pat Johnson, Recording Secretary

**ALSO PRESENT**

Commissioner Lajoie (appointee)  
City Commissioner Neeley (guest)  
Tim Powell, CTAC Member  
Betty Schaafsma, CTAC Member

**PLANNING COMMISSIONERS ABSENT**

Commissioner Orzen

**CALL TO ORDER**

**Chair Carter** called the meeting to order at 6:06 p.m.

**Drentlaw** introduced **Daniel Lajoie**, who was slated to be appointed to the Planning Commission at the City Commission meeting on Wednesday, Jan. 15, 2003. He said Lajoie was in attendance this evening to observe the proceedings and would not vote on any issues.

**Drentlaw** also noted that Orzen was on vacation and would not be in attendance.

**Drentlaw** then said that generally the offices of chair and vice-chair are elected at the first meeting of the year for the coming year, but he suggested tabling that until the meeting on Jan. 27<sup>th</sup> to enable the 2003 Commissioners to all participate in the voting. The Planning Commissioners concurred.

There followed some discussion about whether or not there was a quorum present this evening for conducting business because the City Code says that the Planning Commissioner (PC) is comprised of seven members, from which four would make a quorum. However, since the PC has been operating with five members for several years and prior discussions were to reduce the official number to five, some thought that three members would be sufficient. Specifically pertaining to this evening, the question was whether the three members present this evening constituted a quorum, since Orzen was absent and Lajoie was not yet appointed. After some discussion, it was determined that the current Code rules and there was not a quorum present this evening. However, **Chair Carter** encouraged staff to see what might need to be done to change Code to reflect that the Planning Commission only consists of five members.

**Drentlaw** said staff had been trying to schedule a meeting to discuss the Red Soils Master Plan, which was scheduled at the Pioneer Center on Wednesday, Jan. 22<sup>nd</sup> at 6:00 p.m., and to which the PC is invited. A training session for the PC is tentatively scheduled to follow that meeting, hopefully at about 8:00 p.m.

**Mengelberg** asked if it would be a conflict of interest for the Commissioners to attend the earlier meeting, but **Drentlaw** said the discussion would be about the Master Plan, not specifically about the building application that is yet to be submitted, so there shouldn't be a conflict.

**PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA**



None.

**APPROVAL OF MINUTES: December 11, 2002 and December 16, 2002**

Since there was no quorum, approval of the minutes of Dec. 11, 2002 and Dec. 16, 2002 was held over to the next regular meeting. However, **Chair Carter** asked that those present review these minutes and submit any corrections or changes to staff as soon as possible.

**WORKSESSION**

**Comprehensive Plan Review and Discussion (Dan Drentlaw)**

**Drentlaw** noted that **Bob Bailey** had done a lot of work on the Natural Resources chapter, dividing it into two sections, Section F: Natural Resources and Section G: Natural Hazards, which now follow the State goals. He distributed copies of this draft, which also included some edits and comments from **Mengelberg**.

**Chair Carter** said it would probably be best to follow the same procedure as before, which was to start at the beginning and review each page or section individually, particularly since it was just distributed and no one had been able to preview it except **Mengelberg**.

(Note: A full copy of the draft is available through the Planning Department.)

**Goal F1: Overall Natural Resources Goal**

In the first paragraph under "Forest Lands," **Powell** was surprised nothing was said about preserving forestlands from being clear-cut. **Mengelberg** said we can only regulate lands currently within the city limits and the existing Urban Growth Boundary (UGB).

**Chair Carter** suggested adding the word "currently" to the first line in order to encompass possible expansion, so it would read, "Oregon City currently has no forestlands...". Agreed.

In the next paragraph, line 2 was changed to read, "Such a program should include standards...", not "could include...."

In the paragraph under "Agriculture," the first line was also changed to include the word "currently" so it would say, "...there are currently no agricultural lands...."

**Goal F1.1 Trees**

Regarding Action Item F1.2, **Chair Carter** asked what ever happened to the formation of the Tree Committee. **Cook** said it is provided for in the Code; it just hasn't been formed yet.

**Powell** asked if there is a definition for "significant trees", which is stated in Policy F1.1-6: "Encourage...the preservation of significant trees in forested areas, slopes and open space on both public and private land." **Cook** said proposed changes to the Code will differentiate between heritage trees and significant trees, but **Powell** asked what happens today (before those changes are adopted). **Cook** pulled a copy of the Code regarding trees and confirmed that it includes a definition for "heritage trees" but not for "significant trees." **Drentlaw** suggested adding an action item to define "significant trees." Agreed.

**F1.2 Open Space, Scenic Views and Sites**

**Chair Carter** said the sentence would be more readable if the word "Resource" were deleted from the last line of paragraph 1. It would then read, "...Natural Resources Document."

**Powell** asked if our “Steep Slopes” policy legislates cutting trees from those slopes. **Drentlaw** said it relates to water resource buffer areas, but not specifically to steep slopes. **Powell** said, with the number of steep slopes in the City, he thinks this needs stronger language. **Cook** noted that there is a tree preservation criteria in the Design Review process that says if trees are cut, they need to be replaced somewhere else on the property. However, there is no specific protection of those trees before an application is submitted for Site Plan and Design Review.

**Powell** asked if we can initiate specific legislation about significant trees, although he admitted that it could be difficult to tell private property owners what they can and can’t do. However, he thinks when something affects others (i.e., if removing a section of trees would create water erosion below), it would seem appropriate. **Cook** said most of the existing steep slopes are in water resource areas and typically that would include the water feature and a 50-foot buffer in which cutting is not allowed, so within that area the trees are fairly safe. Beyond that area, though, there could be difficulties. He also noted that according to Code, the Tree Committee will determine regulations relating to tree issues.

**Powell** was also concerned about preserving vistas (as discussed in paragraph 2) and he expressed appreciation that this is addressed both in Policy F1.2-1 and in Action Item F1.2-1. (No changes.)

There was some discussion of the term “view sheds” in Action F1.2-1, but no change was made.

### **F1.3 Mineral and Aggregate**

Regarding Goal F1.3 (“Protect the livability and environment of Oregon City by prohibiting commercial aggregate extraction operations within the City and urbanizing area”), **Chair Carter** asked if current businesses with such uses would be grandfathered in as far as being able to continue their activities. (The batch plant was specifically mentioned.) In addition, she asked if such a business were to discontinue operations, could it resume the same business later or could a new business take over the location and start up a similar operation? **Cook** said by Code a business can only be inactive for one year, after which it could not start up again as a non-conforming use. It was then noted that there are currently no extractions of rock occurring in the city.

### **F1.4 Ecological Resources**

**Mengelberg** said she had a question about references to the City of Oregon City’s Stormwater and Grading Design Standards. **Drentlaw** said he would fix it and would also add the number in the “Goal 5 Inventory.”

**Powell** read from the paragraph just above Goal F1.4, “The City and Clackamas County should ensure that Urban Growth Management Agreements contain provisions for identifying and protecting these resources” and he asked if those are not already in place. **Drentlaw** said we have the agreements but he wasn’t sure to what extent they would accomplish anything. **Powell** then asked if this should be rewritten. **Mengelberg** noted that Policy F-1.4.3 (“Cooperate with Clackamas County to identify wildlife habitat and other ecological resources....to protect them before development occurs....”) applies to this question.

**Chair Carter** suggested that the word “with” be changed to “to” in the last line of Policy F-1.4.2, so it would read, “...an enhanced connection to the natural heritage of the city.” Agreed.

As a side note, **Chair Carter** said she thinks the Planning Commission and the City Commission need to work with the County to clarify a lot of issues before the next UGB expansion review in five years, particularly since there are several references here that relate to shared interests. **Drentlaw** said that is discussed somewhat in the “Urbanization” chapter, but it might be appropriate to support it here as well.

Regarding Policy F1.4.5, **Chair Carter** suggested moving the words “adjacent rivers” to the end of the sentence for a clearer understanding. It would read, “Protect unique habitats in Oregon City and urban growth areas, including adjacent rivers.”

Regarding Newell Creek Canyon as discussed in Policy F1.4-7, **Mengelberg** said part of Area C is within the UGB if the most recent Metro decision holds, and **Drentlaw** agreed, but he said a vast majority of it is not inside the UGB. He suggested adding wording to the beginning of the sentence so it would read, “Work with Clackamas County and Metro to develop and implement....”

## **F1.5 Energy Sources**

**Chair Carter** noted that the word “overtime” in paragraph 1, line 4 should be changed to two words (“over time”). Agreed.

Regarding Policy F1.5.1 (“Maintain the historic use of Willamette Falls as an energy source for industrial and commercial development”), **Chair Carter** asked if we want to keep that as policy. **Powell** said Plant 1 is gone, but PGE still generates power through Plant 2. **Chair Carter** asked, in the event of a change (if PGE were to discontinue use of the plant), would we want to maintain that as power source? **Powell** said if there were a change, we could then generate our own power, which could be a very good thing. Left as is.

Regarding the change of the words “wind power” to “fuel cell technology” in Policy F1.5.3, **Mengelberg** said she suggested this change because Oregon City does not have the consistent, strong winds necessary to generate power. Or, if there is another alternative source (other than wind power), we could just delete this term and say, “such as solar....” **Chair Carter** suggested changing the sentence to read, “Enable development to utilize current and viable alternative energy sources through appropriate design standards and incentives.” Agreed.

Regarding Policy F1.5.4, **Mengelberg** said she added the phrase “and natural light” because that seems to be the new trend.

## **Goal F2: Ground and Surface Water**

In the descriptive paragraph F2.1, **Chair Carter** suggested adding the words “of precipitation” after “46 inches”. Agreed.

**Powell** asked how impervious surfaces (i.e., parking lots) are currently addressed in the Water Master Plan. **Chair Carter** said they are partly addressed in the water standards and in the NEMO standards we are trying to encourage (although those have not been adopted yet).

**Mengelberg** referred to Policy F2.4.3 within Goal F2.4: Groundwater, and suggested inserting the words “and parking lots...” to address this issue. The line would read, “...for storm runoff from roadways, rooftops, and parking lots, and discharge of roof-drains....”

**Chair Carter** suggested adding “and Metro” to Action Item F2.2.1, so it would read, “Coordinate with Clackamas County and Metro to identify and protect wildlife habitat....” Agreed.

**Mengelberg** then noted that we should move Action F2.4.1 from “Groundwater” to “Wetlands” as Action Item F2.2.2. Agreed.

When **Chair Carter** asked if it should be a policy or an action item, **Drentlaw** and **Mengelberg** agreed that it should remain an action item because it is so detailed.

### **F2.3 Rivers and Streams**

**Main** noted that "Beaver Creek" in the first paragraph should be "Beavercreek" (line 6).

### **F2.4 Groundwater**

**Chair Carter** asked if we have high groundwater in places that are significant besides on the Parker property. **Cook** said there are actually many places within the City, which are in the high water table.

**Mark Lytle**, 16360 Frederick, asked if he might make a public comment (he was not there right at the beginning of the meeting and had missed that portion of the agenda), and **Chair Carter** granted permission for such since the PC would be working on the Comp Plan for a while yet.

**Lytle** said his concern relates to a neighbor who has about 20 cats which run free and she has recently started raising rabbits, which are also allowed freedom to roam. This is a problem not just in his neighborhood, but throughout the City, and although there is apparently no current City ordinance against such, he was told that **Nancy Bush** is working on such a policy. He came this evening to request that the Commission encourage legislation for appropriate control of all kinds of animals, not just dogs, and said he thought that perhaps some support from the PC would help get this new proposed policy passed.

**Drentlaw** said it would probably be better for **Lytle** to go to the City Commission, who would be hearing **Bush's** proposal when it is complete, but that the PC can generally only affect those regulations that pertain to planning. **Chair Carter** also encouraged him to take this important issue to the City Commission.

Returning to the Comp Plan review, **Chair Carter** noted that a couple of blanks to be filled in within paragraph 2 of "F2.4 Groundwater".

### **Goal F3: Environmental Quality**

Regarding Policy F3.1.1, **Drentlaw** suggested changing the sentence to include some idea of distance traveled, and proposed, "Promote land use patterns that reduce the need for, and distance traveled by, single-occupancy vehicle trips."

In paragraph 2, line 2 under "F3.2 Noise", **Chair Carter** noted that "Molalla Boulevard" should be changed to "Molalla Avenue".

**Chair Carter** suggested deleting Policy F3.2.2 since noise standards are already in place. After some discussion, the decision was to change it to an action item which would say, "Review and update city noise standards through City Code."

Regarding Policy F3.3.2 (under Goal F3.3 Light), **Drentlaw** said he is not sure we can "require" new developments to provide even and energy efficient lighting, and he suggested changing the word "Require" to "Encourage". **Mengelberg** said PGE has a program for such and she agreed that we could encourage it. **Powell** thought we could perhaps force anything on public streets, but he was not sure about being able to force private development. **Main** concurred.

**Chair Carter** asked who puts in street lights. **Drentlaw** said the developer puts them in, and the City maintains them thereafter.

**Drentlaw** was concerned about the legal perspective and whether we could actually require this, so he strongly recommended use of the word "Encourage." **Mengelberg** suggested "Require even lighting" for safety reasons and "encourage energy efficient lighting...." **Drentlaw** said developers must submit a lighting plan with their applications, which must be approved, so much of this is actually covered.

The decision was to change the first word to "Encourage", add the words "ensures safety", and change "when" to "where" in next sentence. The entire policy would read, "Encourage new developments to provide even and energy efficient lighting that ensures safety and discourages vandalism. Retrofit existing developments where feasible."

### **G. Natural Hazards**

**Drentlaw** noted that the Hazard Mitigation Plan referenced in paragraph 4 was adopted, so this paragraph will be edited appropriately.

#### **G2: Flooding**

Regarding Policy G2.4 ("Participate in the National Flood Insurance Program"), **Main** asked if we already participate, and **Cook** said yes. No change.

Regarding Policy G3.2.2, **Chair Carter** asked if the City has a policy of finding people who do not comply with the development standards regarding erosion control. **Powell** said he thought Ms. Kraushaar had developed such a code, and **Drentlaw** said if there is a policy, the City can apply fines. **Chair Carter** asked what would happen if a developer were found to be in violation of Code, and she was told the developer could be shut down until the situation was resolved.

Given that answer, **Mengelberg** asked if Action G3.2.1 ("Require the development and implementation of an erosion and sediment control plan...") is necessary. **Powell** suggested changing it to read, "Review and update the erosion and sediment control plan...." Agreed.

An **unidentified citizen** who had arrived late asked if there is any policy that binds the City to these same requirements as it does its work (i.e., if Public Works is doing a project). **Chair Carter** said the City must adhere to its own standards, and **Mengelberg** noted that Policy G3.2.2 covers this by inclusion of the words "all development during construction" (emphasizing "all").

**Chair Carter** noted that the policy numbers in this section need to be re-done since the first policy is being deleted.

#### **G4: Seismic Hazards**

**Chair Carter** asked if the paragraph about tectonic uplift (paragraph 2) is necessary because it seems like it is almost too detailed. **Drentlaw** and **Mengelberg** said they thought it was okay to leave it in because it is pointing out that tectonic uplift is a fact.

When **Powell** asked if we have mapping to support Policy G4.2 ("Avoid locating key public facilities in areas know to be of high groundshaking potential"), the answer was yes, that the Metro maps identify these areas.

**Chair Carter** also noted that the word "know" in that policy should be "known."

#### **G5: Other Hazards**

Regarding Policy G5.2.3, there was much discussion about whether we can require public services to "generate" back-up electricity during a storm event, which facilities should be named (if any), and what are considered crucial. After several suggestions, the decision was to change the sentence to read, "Ensure that public services and facilities, such as City Hall, Fire and Police, water, sewer, and hospitals, have a backup electricity source in case of a storm event." Agreed.

As a general comment, **Powell** suggested that the phrase "needed actions" should be changed to "action items" throughout the document. Staff will review the document for these changes.

Having come to the end of this draft, the question was raised about whether to review the map at another meeting or to continue working this evening.

**Chair Carter** also asked when the PC could have a "closed session" for discussions/questions/planning without having public in attendance. She said she would simply like to have time to discuss general procedures and ask questions of staff and the City Attorney with just the Commissioners and staff present. She asked if the PC might like to do such after the quasi-judicial hearing on Jan. 27<sup>th</sup>.

**Drentlaw** noted that Wal-Mart is going to ask for a continuance on Jan. 27<sup>th</sup> in order to prepare further.

**Chair Carter** asked how the Wal-Mart application has been publicized to neighborhoods, etc., and was told that all neighborhoods have been noticed and they are very interested in this application.

**Main** said he would like to get any and all pertinent information available ahead of time to review it prior to the meeting on the 27<sup>th</sup>. Staff will try to provide whatever is available ahead of time.

**Mengelberg** requested that if one PC member asks a question of staff, the answer be distributed via e-mail to all the others so everyone has the same information. Agreed.

**Mengelberg** said it might be good idea for staff or the City Attorney to write a specific list of what the PC can and must consider in an application of this type, as well as what types of issues cannot be considered.

Knowing how involved things might get, **Chair Carter** asked if we could have a special meeting for discussion on Tuesday, Jan. 21<sup>st</sup> or Thursday, Jan. 23<sup>rd</sup> (instead of after the meeting on Wednesday, Jan. 22<sup>nd</sup>, as tentatively scheduled), or perhaps this Thursday, Jan. 16<sup>th</sup>. She also asked if we could do the mapping section after the meeting with **Kabeiseman**, but the group decided to work until perhaps 9:30 this evening and try to get through the mapping.

After a short break, **Chair Carter** moved the review to the mapping.

**Drentlaw** said there had been 42 changes based on the comments and suggestions made during previous sessions, and that the revised map has been numbered to correlate with the legend.

He said the new zoning designation, Corridor Mixed Use (CMU), was the premise for many of these changes. He said that much of the proposed CMU is currently zoned for either various types of Commercial or Limited

Office use, and he said that the net effect is fairly insignificant, except that CMU doesn't allow for drive through facilities.

**Mengelberg** said she had also understood that the intent was for commercial use below and residential above to get a higher density along the corridors.

**Lajoie** asked about parking priorities. **Drentlaw** said CMU has a lot of the same requirement as commercial but they don't have to meet the parking requirements. This will result in many Code changes, including such topics as permitted uses, landscaping, setbacks, etc.

**Powell** asked about the zoning along Molalla, noting that he thought CTAC had expressed the desire for higher density. **Drentlaw** said we must consider the transition from high density to the north and high commercial (i.e., Hilltop, Red Soils, Fred Meyer, etc.) to the south. **Powell** said they don't want commercial along (near) Newell Creek nor to the north side of Beaver Creek.

**Mengelberg** said, to play the devil's advocate, that transportation access along this area is the best in the city, which is needed for this type of high density. **Chair Carter** said she thought we could fit in some zoning as Mixed Use and still capture the views/vistas, etc.

**Powell** clarified that they don't want full commercial, but they would agree to mixed-use, high density. He agreed about the transportation comments and also encouraged provision for foot traffic.

**Mengelberg** suggested some type of development with condos to the back and commercial to the front. **Powell** also suggested commercial on the bottom, offices in the middle, and residential on top.

**Drentlaw** said there are several things to consider in the commercial categories:

- The potential for commercial in the downtown area with no parking but some landscaping.
- The fact that newer commercial often has bigger parking lots, bigger buildings, and is not as pedestrian friendly.
- Possibilities of neighborhood commercial, as has been suggested for South End.

**Chair Carter** said a lot of areas have potential, and **Drentlaw** agreed, noting that they just have different nuances (parking, landscaping, etc.)

**Powell** was concerned about the amounts of impervious surface, saying we already have a problem and it will only increase with more development. He said he simply wants to build in some safeguards to control what goes in.

**Drentlaw** said the theory is that if there is too much commercial, we will never get infill. **Main** confirmed this, citing the example of a thin strip of properties along Molalla that are zoned for commercial but which are not deep enough to develop (some lots of which are only 50 feet deep).

**Chair Carter** asked about a small piece of property at the south end of Molalla to Henrici, but **Drentlaw** said we are trying to avoid stripping the entire length of Molalla. **Mengelberg** added that she thought ODOT would have some concerns as well since that is zoned residential.

**Drentlaw** said we also need to increase densities along Highway 213 and Molalla because if it is really a transit corridor, we need to allow for more people. **Chair Carter** added that we really need to do smarter development in those areas which are currently underdeveloped.

**Drentlaw** asked where the typical retail is located, and **Powell** said he thought it was in the triangle between Molalla, Beaver Creek, and Highway 213. He said we did a good job on Molalla, but he can't see similar development near Newell Creek.

**Main** asked where "big box" fits, and **Powell** said it seems like it would fit in along the downtown/McLoughlin corridor.

**Chair Carter** said the question is how we can best use the various areas because the downtown area is already commercial use, the next area is developing in the same manner, and the whole Clackamette Cove area is already developing into commercial use. She said we don't really need more commercial, and we are actually overly-saturated in some points. **Powell** concurred, saying many people feel we already have enough commercial for the next 20 years.

**Chair Carter** said she has heard the question asked about when we would build nice condominium complexes, and **Mengelberg** recalled past discussions of such.

**Cook** said planning for such could be done on the actual zoning map, although not in the Comp Plan.

**Drentlaw** noted that the Rossman landfill piece (The Parker Estate) is currently zoned Industrial.

**Mengelberg** said we had talked about Mixed Use Employment zoning, which was not reflected on this map. **Drentlaw** said we are still working on the zoning for this site. He said it currently is still shown as industrial on the map.

**Powell** asked if the Cove is Downtown Mixed Use, and **Drentlaw** said yes. **Chair Carter** said that would be the most logical place for a big box because there are no views to impede, there is no residential to be impacted, and it is near the freeway.

**Mengelberg** noted that the map also shows a major flood plain, but most of the area is identified as open space. She agreed that it could be a good Mixed Use area, with some residential, some retail, and some commercial.

**Mengelberg** asked if the sewer plant should be colored blue for Quasi Public.

**Drentlaw** said part of that landfill was also discussed as possibly being Tourist Commercial, trying to connect the Amtrak station, the wagons, etc., and possibly even a hotel.

**Chair Carter** said if the Comp Plan is for 10 years, this map is probably okay. She said we just need to make it clear that people can do Mixed Use on what shows as Commercial property. **Cook** said that is true, but that discussion would be more appropriately served when discussing the detailed lists for regular zoning.

**Mengelberg** asked if staff looked at only the city limits or if they included what is in the UGB. **Drentlaw** said we should also include what was just brought in during the recent expansion of the UGB.

In looking at the color indicators of green (for parks), **Mengelberg** said it seems like a couple of areas are not included. For instance, the park on Front was not colored in, but it already exists. However, she noted that the area to the south probably doesn't show specifically as park area because of the large campus area. **Powell** added that Industrial cannot include parks per se but it can have open space.



**Drentlaw** pointed out that another potential commercial area might be near Maple Lane and Holly. **Chair Carter** noted that there are nearby facilities, so more commercial may not be needed. **Cook** said the intersection is bad, so a new commercial area might actually spread out traffic. However, **Chair Carter** said if we spread it too far out, the core businesses won't get enough business to remain successful.

Another option might be for proposed commercial near Redland Road and Holly.

After some discussion about the area, there was general agreement to take the proposed commercial area north of the college out (of the map) and perhaps continue Residential on down from the north.

**Drentlaw** asked if there were any further comments about Industrial in the Cove area. **Mengelberg** said we need more jobs in that area, but we absolutely don't need more commercial there or it will suck the life out of downtown. **Chair Carter** observed, though, that if a big box were to go in there and drain some of the struggling entities, those could open those up for redevelopment. It was also noted that others besides "big box" have expressed interest in the area, so big box is not the only option.

**Powell** said he would like to see something beside retail there, and **Mengelberg** agreed. **Drentlaw** added that it would be nice to have something that would tie to the Amtrak station.

**Mengelberg** cited the Tigard Triangle (I-5/Hwy. 217) as a good example. She said it is comprised of an assortment of mixed use but has no housing.

(**Drentlaw** noted that MUE is combined into Downtown Mixed Used.)

**Cook** noted that the proposed map and the existing Comp Plan are on the web site, for anyone who might want to study these further.

In conclusion, **Drentlaw** said staff would take these suggestions, make the changes, and bring the map back for review. **Chair Carter** said it might not be necessary to bring it back to the PC since he has a good idea of what the PC wants to see in the overall recommendations. She also suggested that staff might make a new zone for Mixed Use/Office, with no residential.

**Lajoie** asked about plans for downtown, and **Powell** gave him a brief description of some of the prior suggestions. **Chair Carter** said this could be an opportunity to get some smaller, more eclectic shops there. **Mengelberg** said we need high density there first to support the smaller businesses, and **Drentlaw** said he thinks we need condos near the river first to provide that high density.

#### **OTHER BUSINESS**

None.

#### **ADJOURN**

With no other business, the meeting was adjourned at 9:55 p.m.

---

Linda Carter, Planning Commission  
Chairperson

---

Dan Drentlaw, Planning Director

03 MAR 10 AM 10:16  
RECEIVED  
CITY OF OREGON CITY

To: City of Oregon City Planning Commission  
From: Hazel Meadows Residents  
Date: March 8, 2003 11AM  
CC: Kathy Hogan  
Re: Great American Development Proposal

We, the residents of Hazel Meadows agree with Associate Planner Tony Konkol in that "a street connection is preferable to the proposed cul-de-sac to serve the development, surrounding community, and City transportation system." We agree that VR 02-10 should be denied as Tony Konkol stipulates in his memo to the City of Oregon City Planning Commission dated March 3, 2003. Lastly, we thank the developer for offering to provide traffic calming devices, however these should be placed "in-addition to" rather than "in-lieu of" a connection to South End Rd.

Our Priorities are:

1. Connection to South End Rd.
2. Traffic Calming Devices on Filbert DR.

| NAME                | ADDRESS             | SIGNATURE           |
|---------------------|---------------------|---------------------|
| MIKE KOLSUT         | 19225 MULBERRY CT   | Mike Kolsut         |
| PAUL Rickey         | 19215 MULberry CT   | Paul Rickey         |
| BRIAN KLOODALL      | 11660 S. FILBERT DR | Brian Kloodall      |
| JASON MEDFORD       | 11650 FILBERT DR    | Jason Medford       |
| RANDY HOWELL        | 19240 S. PINE PL.   | Randy Howell        |
| Naomi Sether        | 19230 Pine Pl       | Naomi Sether        |
| DON & BRENDI TANK   | 19170 Elder Tree Ct | Brendi Tank         |
| Paul Hauer          | 19165 Elder Tree Ct | Paul Hauer          |
| Nicholas Guarniello | 19300 Mahogany Dr S | Nicholas Guarniello |
| Phyllis Foy         | 19216 Mulberry Ct.  | Phyllis Foy         |
|                     |                     |                     |
|                     |                     |                     |
|                     |                     |                     |
|                     |                     |                     |
|                     |                     |                     |
|                     |                     |                     |

OC PLANNING COMMISSION  
HEARING DATE: 3/10/03  
CASE FILE: VR 02-10  
EXHIBIT: A

B L A C K

H E L T E R L I N E LLP

1900 FOX TOWER 805 SW BROADWAY  
PORTLAND OREGON 97205-3359TELEPHONE 503.224.5560  
FACSIMILE 503.224.6148FACSIMILE TRANSMITTAL SHEET

DATE: MARCH 7, 2003

TO: MR. TONY KONKOL  
BUSINESS: PLANNING COMMISSION

FAX NO.: (503) 657-7892

SENDER'S NAME: ERIC J. TENBROOK, ESQ.

SENDER'S PHONE: (503) 417-2123

TOTAL PAGES: 6

DESCRIPTION: LETTER

COMMENTS: TONY: PLEASE INCLUDE THIS IN THE RECORD FOR THE MARCH  
10, 2003 PLANNING COMMISSION HEARING.

CLIENT/CASE: GREAT AMERICAN/G42

OPERATOR: LORI LILLY

ORIGINAL MAILED: Yes ☐ No ☒

IF YOU DO NOT RECEIVE THE NUMBER OF PAGES INDICATED, PLEASE CALL IMMEDIATELY.

CONFIDENTIALITY NOTICE

THIS FACSIMILE (INCLUDING ATTACHMENTS) IS PRIVILEGED AND MAY CONTAIN CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE PERSON(S) NAMED ABOVE. ANY OTHER DISTRIBUTION, COPYING, OR DISCLOSURE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL TRANSMISSION TO US BY MAIL WITHOUT MAKING A COPY OR READING THE ATTACHMENTS.

OC PLANNING COMMISSION  
HEARING DATE: 3/10/03  
CASE FILE: VR 02-10  
EXHIBIT: B

B L A C K

H E L T E R L I N E LLP

ERIC J. TENBROOK  
DIRECT DIAL NO.: (503) 417-2123  
E-mail: ejt@bhlaw.com

ATTORNEYS AND COUNSELORS AT LAW

March 7, 2003

File No.: G42

VIA FAX

Planning Commission  
320 Werner Milne Road  
Oregon City, OR 97045

Reference: Great American Development Co. Variance VR 02-10

Dear Commissioners:

We represent Great American Development Co. and Joe Spaziani with respect to the Variance Request before you to increase the standard cul-de-sac length by 50 feet. This letter is provided to you in response to Staff's supplemental report dated March 3, 2003, and received by us March 4, 2003.

It is crucial to note that the issue here is whether Applicant's Variance Request should be granted or denied. Applicant is not asking for a South End Road connection, and this is not a design review proceeding (none being required for this zoning).

Thus, the only question is whether Applicant meets the standards for a variance *for 50 feet more of a cul-de-sac*.

Staff is using the South End Road option as a foil, but it is not an option here. The Applicant does not want a connection to South End Road for several rather obvious reasons.

Staff fails to respond fully to the concerns raised in our previous letter of February 24, 2003. In particular, Staff does not explain how an admittedly non-standard road connection scheme can afford the basis to claim that the Applicant failed to meet the requirements for a variance in cul-de-sac length.

It has been argued recently to our client that the direct connection to South End Road is the "best" planning option. However, Staff's own admission that it did not initially require a South End Road connection, but only raised this issue after receiving opposition from neighbors on the rezone, belies that conclusion.

Moreover, Staff's proposal seeks to impose this "best" planning option without having first considered if there are impacts or changes to the Transportation System Plan ("TSP"), or the Comprehensive Plan ("CP").



1900 FOX TOWER, 808 SOUTHWEST BROADWAY, PORTLAND, OREGON 97206-3369  
TELEPHONE 503.224.5560, FACSIMILE 503.224.5148, WWW.BHLAW.COM

Planning Commission  
March 7, 2003 - Page 2

Again, the only question is whether Applicant meets the standards for a cul-de-sac variance. The response against the Staff's bases for recommending denial on that question are straightforward:

Staff basis:

1. Literal Application will not deprive Applicant of rights commonly enjoyed by other properties and extraordinary circumstances do not apply (see 17.60.020.A).

Response: Staff seems to agree that other properties commonly enjoy cul-de-sacs in the area, but then use that as a justification to argue that without this new South End Road connection, connectivity will suffer. Applicant relies on its previous submissions on this issue and merely points out here that Staff seems to agree that other properties have enjoyed a variety of cul-de-sac designs which also have constrained the development of the Applicant's property.

It is Applicant's position that the conclusion to be drawn is that a cul-de-sac with a 50-foot extension in standard length is warranted and the least intrusive.

2. The variance will cause substantial damage to adjacent properties by reducing better access opportunities to Tax Lot 9900 (see 17.60.020.B).

Response: Staff makes no new arguments directed to this standard, and Staff does not respond to Applicant's letter of February 24, 2003, which pointed out that the standard is directed to the reduction of *existing* access, and does not require the improvement of neighboring properties' access. A cul-de-sac dimensional change would have no effect on Tax Lot 9900's existing access.

3. Applicant's circumstances are self-imposed (17.60.020.C).

Response: Applicant relies on its prior letter of February 24, 2003. The current property circumstances are a result of the prior development, as the Staff points out in the latest Staff report, but Staff ignores that its idea for a South End Road connection would deprive the Applicant of rights enjoyed by other properties (see above) - a quiet cul-de-sac free of through traffic from a minor arterial. This is not a basis for denial.

4. No practical alternatives have been identified which would accomplish the same purposes and not require a variance (17.60.020.D).

b

Planning Commission  
March 7, 2003 - Page 3

Supplemental Response: Staff makes no response in its latest Staff Report to Applicant's contention that the TSP minimum standards (400 feet spacing for connections from local streets to minor arterials), adopted in 2001, three years after adoption of the Street Design standard in 16.12.050, requires a variance.

Applicant has not asked for such a variance because the approach most consistent with the CP and TSP is a small dimensional change to a cul-de-sac. The City Staff routinely requires applicants to be consistent with the CP, TSP, and ordinances, yet seems to throw such consistency out the window when convenient to the Staff.

Moreover, Applicant contends that the exception in 16.12.050, in addition to requiring proof of a lack of safety hazard, requires adherence to all of the variance requirements of 17.60.020, *as required by a contextual reading with 16.04.050.*<sup>1</sup>

As a result, Staff's alternative, even if practical (which it is not because it is not the preferred means of connection in the CP or consistent with the spirit of the TSP system), would also require at least one, if not two variances (400 feet spacing restriction and 500 feet spacing restriction).

Thus, Staff's idea is not a basis for denial of the variance request before you, nor a basis to force Applicant to abandon a cul-de-sac altogether.

5. The variance is not the minimum variance which would alleviate the hardship (17.60.020.E).

Response: Staff makes no new argument directed to this standard. The Applicant relies on the prior letter of February 24, 2003.

---

<sup>1</sup>Staff argues that it is the decision-maker on that issue. However, it appears that, in the current context, the Planning Commission would have to make a decision on the evidentiary question of safety hazard if Staff is "applying" for a variance to the 500-foot spacing requirement in 16.12.050. Nevertheless, Applicant is not applying for such an access. It is unclear what Staff is suggesting, but perhaps it is a hopeful "if applicant were to apply for a variance for a street connection, we'd grant it." That is simply not on the table here.

Planning Commission  
March 7, 2003 - Page 4

6. The request is inconsistent with the CP and TSP and ordinance being varied (17.60.020.F).

Supplemental Response: Staff now backs away from this contention in the supplemental Staff Report, merely arguing that the CP and the TSP does not prohibit Staff's idea. That is not a basis for denial of a variance under this standard.

Finally, Staff's argument that connectivity can only be increased by a South End Road connection again fails to comprehend the concept of TSP connectivity. As stated in the TSP, good connectivity limits access to and travel on major and minor arterials to shunt the majority of traffic for shorter trips onto local streets and neighborhood collectors, saving the arterials for longer, higher-speed transits of large areas. The full text of the discussion of connectivity in the TSP is appended to our prior letter of February 24, 2003.

Staff's concept of achieving "connectivity," while it has a certain initial aura of validity, is not consistent with the duly planned and adopted concept of "connectivity" which this City has spent thousands of public dollars and countless hours of time to develop in the TSP.

Moreover, as the CP states at L-10: "Local streets provide direct access to abutting property. *Through traffic must be discouraged. Careful planning and the use of circuitous street lay-out will break up the continuity of traffic movement.*" (Emphasis added). At L-9 the Plan states: "They [collector streets] carry traffic from the local streets to the minor and/or major arterial network . . . ." At L-7 to L-8 it states: "The intersection of local streets directly with major arterials should be discouraged. Local street access to the arterial [e.g., both major and minor] should be provided through the collector street network *wherever possible.*" (Emphasis added.)

Staff's idea for a road connection is not an improvement of connectivity in the TSP and CP sense, and is not good consistent planning with those duly adopted plans. The cul-de-sac is good, consistent planning, and the 50-foot change has no difference on traffic impact on Filbert Drive.

b

Planning Commission  
March 7, 2003 - Page 5

Applicant submits that the standards are satisfied to grant the Variance.

Very truly yours,

A handwritten signature in black ink, appearing to read "E. J. TenBrook". The signature is fluid and cursive, with the first and last names being more prominent.

Eric J. TenBrook

EJT:lk1  
H:\Client\G42\Corr\citycomm ltr03.doc

cc: Mr. Tom Sisul (via fax)  
William Kabeiseman, Esq. (via fax)  
Mr. Joseph Spaziani (via fax)

h



**CITY OF OREGON CITY  
PLANNING COMMISSION MINUTES  
February 10, 2003**

**COMMISSIONERS PRESENT**

Chairperson Carter  
Commissioner Lajoie  
Commissioner Mengelberg  
Commissioner Orzen

**STAFF PRESENT**

Sean Cook, Associate Planner  
Dan Drentlaw, Planning Director  
Pat Johnson, Recording Secretary

**COMMISSIONERS ABSENT**

Commissioner Main

**1. CALL TO ORDER**

**Chair Carter** called this portion of the meeting to order at 8:17 p.m. (the first hour having been spent in a joint work session with the City Commission to hear a proposal about the Highway 99E/McLoughlin Boulevard Plan). She noted that **Main** would no longer be serving on the Planning Commission (PC) because he has accepted a position to serve on the school board.

**2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**

None.

**3. HEARINGS:**

**Chair Carter** gave the parameters and procedures for the hearings on the agenda this evening, both of which are quasi-judicial in nature.

**VR 02-10 (Request for a Continuance to February 24, 2003); Great American Development: Joe Spaziani; Request for a continuance of the Planning Commission Hearing for a Variance to increase the maximum cul-de-sac length by 50 feet for the property identified as Clackamas County Map 3S-1E-12A, Tax Lot 2300 and located southwest of Partlow Road and southeast of South End Road.**

**Drentlaw** said the applicant was requesting a continuance to the next PC hearing date for this variance while reviewing alternative designs for the subdivision. **Mengelberg** moved to approve a continuance to Feb. 24, 2003, as requested. **Orzen** seconded the motion, and it passed unanimously.

**ZC 02-03 (Quasi-Judicial Hearing); Pan Pacific Retail Properties: Roger Shirley; Request for a variance to the sign ordinance for height and allowable signage for a freestanding sign at the Oregon City Shopping Center identified as Clackamas County Map 2S-2E-29, Tax Lot 1800 and located at 1900 SE McLoughlin Boulevard.**

**Chair Carter** gave the parameters and procedures for this hearing and asked if asked any members of the Planning Commission (PC) wished to: 1) abstain; 2) declare a conflict of interest; or 3) report of site visits or ex parte contacts, and if all members of the PC were familiar with the application. **LaJoie** had visited the site, none reported bias or ex parte contacts, and all were familiar with the application. There were no challenges against the Planning Commission (PC) or any individual members to hear this case.

**Cook** made the presentation on behalf of staff, noting that no comment was received from the general public and that he had distributed a letter earlier this evening from the Park Place Neighborhood Association.

(Note: A full copy of the application, staff report, and other applicable materials are available in the public record.)

**Cook** said the proposal is for a sign (as shown on an overhead) with a variance request for height and allowable signage. The proposed sign is located along the McLoughlin Boulevard frontage at the entrance to the Oregon City Shopping Center. The existing sign is non-conforming to existing City standards. The applicant wishes to structurally alter the existing sign and convert it to the sign as shown. However, the sign code prohibits the altering or replacing of any non-conforming signs without bringing them up to current standards.

**Cook** noted that there is a small challenge in the fact that staff must review this variance based on the City Code and not on the existing sign. He explained that the maximum height allowed by the sign code is 30 feet and the proposed sign is 55 feet, 6 inches. The current maximum allowed signage is 150 square feet and this sign is 443 square feet.

The Code provides four variance hardship criteria:

1. Extraordinary circumstances that apply to the property but don't apply to other properties in the area.
2. A variance is needed to preserve a right that other property owners already have.
3. A variance does not conflict with the sign code or injure the use and enjoyment of the properties around it.
4. The variance is the minimum necessary to relieve a hardship.

As addressed in the staff report, staff finds that all four of these standards have not substantially been met. For example, regarding variance criteria #2, this variance would actually allow the applicant to have a sign larger than any of the nearby properties.

In closing, staff finds that the proposal does not meet all the necessary criteria for the variance request. Therefore, staff recommends denial of VR 02-14.

**LaJoie** asked if the PC could separate the two issues (height and signage) and approve one or the other. **Cook** said they could.

**Dan Osterman**, Tube Art Signs, 4243A SE International Way, Milwaukie, OR 97222, spoke on behalf of the applicant. He said the applicant felt this site was unique in that it does not have multiple entrances with multiple freestanding signs. He showed pictures of various other sites with multiple frontages and signs. In contrast, the subject property is unique because there is only one signaled entrance/exit. It has a setback of about 1,000 feet to Fisherman's Marine, which makes it very difficult to see what tenants are in the center without literally turning your head and reading the signs on the buildings. Therefore, he said it is fairly important to maintain the existing freestanding sign, both into the site and into the signaled intersection. He did note that there is a curb-cut to the north but it is tough to use, and a side access to the north which is not widely known about or used. These issues, then, are what the applicant feels are unique to this site as compared to other shopping centers in the area. He then submitted the picture into the public record. (**Chair Carter** also noted that the letter needed to be marked as an exhibit, which staff acknowledged.)

**Osterman** said they (the applicant) also think the site uniqueness extends to the fact that the site has been more or less a gateway sign into Oregon City from the north. Furthermore, this site is different than other shopping centers in Oregon City because it has a regional draw with Fisherman's Marine and Emporium, which are different than a draw for a grocery store.

Also, its proximity to I-205 adds to bringing people in from outside areas. However, a negative effect is that the some of the freeway ramps actually block visibility to the site, which creates some confusion. The existing sign is not dominating to the area in size because there is so much in the area with the I-205 overpass and the ramps. There are not a lot of visual corridors into the site.

**Osterman** then addressed the issues in the staff report as follows:

- Regarding staff's analysis on item 1 (page 5), it didn't feel like the setback nature of the buildings was an adequate claim as a difficulty. He said it is about 1,000 feet from the curb back to the main building, so that is a long way to rely on wall signs from McLoughlin.
- Visibility of the shopping center from I-205 is really negligible. If a person is looking for it, it can be seen, but for someone who hasn't been there before, it is not very visible.
- Regarding item 2, the analysis says, "This variance does not appear to preserve a right of the applicant..." He said they feel that this application for variance is basically requesting continuing use of the existing sign. They were told initially that, under the guise of a grandfather clause, they could change copy and paint the sign without seeking variance. What they didn't realize until they saw the staff report was that "As charged by the sign code, City management, and legal council, staff may be pursuing compliance of this code section in 2004" (page 2, paragraph 5). He said he had not been told whether there is an amortization program in place for removal of all non-conforming signs. He said Pan Pacific has just acquired this property and were unaware of this, and staff did not advise them of any amortization program being in place. The applicant simply wants to clean it up and rework it to give the sign a more modern appearance.
- Regarding item 3, which says that "the requested variance will not be materially detrimental to, or in conflict with, the purposes of this chapter...or be injurious to the public", the applicant felt it was an existing sign and has not had any negative impact in the 30-40 years it has been there and that they are not creating any new impact, so they couldn't see where they would be creating any negative situation by asking to maintain this existing sign. He noted that in Mr. Shirley's letter he expressed that he felt it was really important to clean up the old sign since it is a gateway to the City, and he wished to maintain the Oregon City name/logo on the top. Basically, they feel they are not attracting attention by showing a dominating-sized sign, considering the scheme of the area and the scale of the site. Without the applicant's pointing it out, he doesn't think anyone would have guessed the area because it simply doesn't appear to be that big.
- Finally, staff said the applicant had not met the requirement to show that the requested sign is the minimum size needed to adequately advertise the tenants of the shopping center. He showed visuals of the existing sign and the possibilities of a copy change and paint as proposed by an architect to update it and make it more compatible with the building. The proposal advertises all the tenants. Further, they have actually decreased the signage size (depending on how a person measures out the copy area) but added three feet in height, all of which is in the crown molding.

**Osterman** reiterated that they assumed the grandfather clause would allow them to clean it up, paint it, and make it appear a little more modern under general maintenance.

**LaJoie** asked if the aspect of adding additional tenants to the sign is an important issue for the applicant (since they are adding signage for smaller retailers). **Roger Shirley** of Pan Pacific, 13635 NW Cornell, Portland, OR 97229, said they are not adding panels, although it might look that way because of the blank signs on the bottom. He said it is not that important to them (the applicant) that people know that this is the Oregon City Shopping Center, but it is important that people know who is there. The concept is to enhance the exposure of the tenants and this design allows them to add the small-shop tenants, including the Merchants Association. Therefore, he said it is critical because they have had vacancy and it has been a challenge to lease space. They

are not trying to add space to the sign but add exposure for new tenants. He reiterated that they are simply trying to add architectural features—they are not trying to get around the sign code by adding surface area. He said they have spent \$1 million to upgrade the property and they are just trying to put the finishing touch on the property.

**Osterman** added that, if approved, the five bottom cabinets are existing and the three base steel components are existing, so they are basically reworking the top part with the “Oregon City Shopping Center” name and adding a faux trim on the outside to tie it altogether.

**Chair Carter** asked how much linear footage is on McLoughlin Boulevard. **Cook** said it is about 1,200 linear feet on McLoughlin and about the same on the south side.

**Chair Carter** asked for confirmation that they are not structurally altering the sign because they would use the same supports, so they are only cosmetically altering the sign. Yes.

There was no public testimony in support of the application.

In opposition, **Ralph Kieffer**, 15119 Oyer Drive, Oregon City, identified himself as chair of the Park Place Neighborhood Association Land Use Committee and asked if the Commission had received the letter from them. (The letter was noted as Exhibit A and had been distributed.) Although he didn’t know if the comments would help much in the PC’s deliberations, he wanted to tell them some of the citizens’ views. He said there are four appointed members to the Land Use Committee and of the four, two were in favor and two were against this application. Of those in favor, one said the size of the sign was not of bother to him/her. The second person said businesses are hurting economically these days and a large size gives them an “edge,” so we should allow one of its present size, especially if it helps attract vehicles from I205. Of those in opposition, one said the new ordinance has been known for nine years; the owners knew the sign would be non-conforming in 2004, and they should follow the rules. Therefore, the request should be denied. The other person said there is a McLoughlin enhancement project in process and they want to create a consistent and memorable image for McLoughlin that reflects the history and character of Oregon City. Another point was to create an attractive, functional frontage for properties adjacent to McLoughlin. This person felt, “In light of these goals, the large non-conforming sign should be replaced with a smaller conforming sign.”

The applicant made no rebuttal.

**Drentlaw** responded to Osterman’s question about an amortization schedule by saying that the current sign Code has a provision that was passed in 1994 that says “non-conforming signs will be required to be removed in ten years.” He said the policy question for the City in 2004 is how aggressive the City is going to be in pursuing non-conforming signs. He reiterated that this has been in the City’s Code since 1994, so it really is not new information.

**Drentlaw** said staff’s other concern is that if the variance is approved and the money is spent to update the sign, there is a legal question as to the validity of the City ever pursuing removal of this particular non-conforming sign simply because of the fact that they will have put additional money into a new sign which was approved with a variance by the City. **Chair Carter** asked if he was saying we would pursue the removal of the sign and not give them the ten years to amortize out their expense. **Drentlaw** said if the variance is approved and they pay a lot of money for a new sign, he doesn’t think the City could pursue it. The idea of amortization is that we’re giving people ten years to utilize their investment in their sign. However, if we approve a sign now and they spend the money, we should really give them another ten years to amortize that sign.

**Mengelberg** asked staff if Pan Pacific were to bring in a proposal for a shopping center today, given the existing access points, where would sign placement be permitted? She identified three existing access points: the one right by the exit ramp, the signalized access, and the one at Firestone. Therefore, with the same access and the same configuration, would they be allowed three smaller signs according to the nine-year old code, or what would staff advise them regarding signage under the existing code. **Cook** said under the existing code they would be allowed one freestanding sign per frontage (premise), so they would be allowed one on McLoughlin and one on any frontage abutting a road—essentially two signs.

**Orzen** asked how many other non-conforming signs exist in Oregon City. **Cook** didn't know but admitted that there are definitely other non-conforming signs.

**Osterman** asked if a definite decision has been made to pursue removal of the non-conforming signs, and **Drentlaw** said no. **Osterman** said that would affect what they do because if they know a sign will be removed a year from now, it wouldn't make any sense to spend any money on it now.

Regarding Mengelberg's question about where they might put new signs, **Osterman** said he understood Cook to say they would be allowed to put smaller signs on each frontage, so he said if they could identify three sides to the property, they would be allowed to have three smaller signs. Therefore, it sounds like they could put one at each end five feet from the property line [along the north and south sides] and one in the middle along McLoughlin. If they knew the existing non-conforming sign would have to come down in a year, that would probably be a more logical way to pursue this signage issue.

**Shirley** noted for information purposes only that Clackamas County has a grandfather clause that allows a continuing use permit so they don't force an amortization on non-conforming signs. He said the City of Portland has the same thing. They allow a certain amount of change but they doesn't force amortization because they felt it was unconstitutional to demand a private property owner to abandon, surrender, or stop using private property.

**Drentlaw** said that if the variance were approved, the sign would no longer be non-conforming.

With no other comments, **Chair Carter** closed the public hearing at 8:57 p.m.

In deliberations, **LaJoie** said he has struggled with this decision. He said he thinks it is important to understand the concept of how strip centers and malls function in that they are relying on the anchors. The smaller tenants don't get the ability to have their own big signs because they are relying on the anchors. So the part about adding more area for smaller tenants doesn't ring true for him because it isn't in the spirit of what that building type is all about.

He said another important part is that the idea of corner commercial because retail is all about exposure, and this is a corner. As such, it has a unique ability to get traffic from four directions as opposed to from just one street. He admitted that there is no visibility from I-205 westbound. He said from McLoughlin heading north, raising the sign doesn't help at all because the overpass blocks the view, and on McLoughlin heading southbound, raising the sign doesn't accomplish anything. From I-205 northbound, he would have thought they would want larger signs because you can't read the signs except for Rite-Aid. Further, had he been the architect, he would have advocated that all the major tenants should have had a larger sign. (He thought they are allowed 20 feet, but they are currently only 17.5 feet.)

**Orzen** said she likes the looks of the new sign. Normally she doesn't like "bigger", but this is only three more feet. She acknowledged that they have made major improvements in the shopping center. She noted that you

could see the shopping the center from I-205 heading east. In conclusion, she said she would probably support approval of the request.

**Mengelberg** commended Pan Pacific for its investment in modernizing the shopping center. She said she thinks the sign design is attractive and would enhance the appearance of the shopping mall. On the other hand, she was not convinced that such a large sign is necessary. After looking at Osterman's examples of some of the other shopping malls (Berryhill and others), she said they have similar long setbacks and they are able to do just fine with the smaller signs. She said sign standards change over time, and to allow such a huge variance in height and sign surface sets a bad precedent for the new sign ordinance (even though it has been in place since 1994). This would give the shopping center an advantage over others in the community and it would make it much harder to enforce and ask new developments to comply with the existing sign ordinance. Therefore, even though she thinks the sign is attractive, she was not convinced that it needs to be as big as it is and she would encourage the shopping center to consider smaller signs that are in conformance, and perhaps more of them in key locations.

**Chair Carter** said personally she feels some of these issues do fit the criteria for variance based on the following considerations:

- They are owners of two frontages that are 1,200 linear feet each, for a total of 2,400 linear feet, but we have a sign code that goes up to 200 linear feet, which would logically seem to be a problem.
- Regarding the setback, she said she doesn't think there are any other shopping centers that have a setback that deep.
- She believes this is a continuing use. They are not structurally changing their sign; they are cosmetically altering their sign. If they were to take off the Oregon City logo from the top, the sign change would have no difference to it at all. So, she thinks in this particular instance it is a good thing for Oregon City to have a sign that is highly visible advertising that people are now entering Oregon City, especially since there is no other signage at the that side of town saying such.
- The sign clearly has had no negative impact and is not injurious to anyone else.
- From a mathematical point of view, with the current sign code, they would have the ability to have at least two signs, if not three if they could put something on the north side. Therefore, for the sake of argument, they could have three signs 30 feet high each, for a total of 90 feet in height in three signs instead of a total of 55 feet in one. They could also have up to 150 square feet on each side of each sign for a total of 300 square feet per sign, for a total of 900 square feet as opposed to 443 square feet. Considering these figures, she doesn't think it makes sense.
- If they were to put smaller signs at several locations, it would only serve to confuse the consumers about which is the major driveway or which is the safest.
- They would literally lose the south frontage because they can't use it due to the freeway off-ramp, which is an exception that other businesses don't have to deal with.

In summary, she said she doesn't think there is anything wrong with the overall size of the existing sign and she thinks it would be a great enhancement to have the sign updated as proposed. She said she might be a little "stiffer" on this if they were actually tearing down the existing sign and rebuilding a new one, but they're not. They are using the existing structural support for a sign that has been there for many years and there is no new construction. Therefore, she thinks the sign that existed at the time should be able to continue in existence and that the applicants are within their right to give Oregon City the benefit of some nice signage at the north end of the city. In summary, **Chair Carter** said she thinks this fits the criteria for a variance.

**Orzen** noted that they were looking at the sign code several years ago, but it was somehow put on the back burner. She said she would like to see it reviewed again. **Chair Carter** agreed, saying that it is intrinsically unfair to apply the existing code to large properties because it was designed for small properties.

**Orzen** moved to approve the request for variance for sign height and signage as requested in VR 02-14. **Chair Carter** seconded the motion. In polling the Commission, **Orzen** and **Chair Carter** voted in favor and **Mengelberg** and **LaJoie** voted against. The motion failed due to a tie vote, which resulted in no decision. **Drentlaw** noted that the decision is appealable to the City Commission.

## NEW BUSINESS

**Mengelberg** asked staff what the timeframe is for the next steps for changes to the Comprehensive Plan and when public hearings will begin. **Drentlaw** said staff has completed the policy portion and the map, but they are still working on several Code changes for implementation of the proposed changes, which are quite comprehensive because of the zone districts. He said he is holding back on setting a public meeting until those proposed Code amendments are done because of Measure 56, which requires that they must send out notices to every property owner in the city and he would like to send out notice only once to save costs. He said he would like to present a draft of the Code changes to the PC in a work session, to be followed by public hearings, probably in early April.

**Chair Carter** noted that the agenda for Feb. 24<sup>th</sup> would be very full and confirmed that they will start at 7:00 p.m. **Drentlaw** said staff would distribute materials for that meeting as soon as they are available.

**Mengelberg** asked what the procedures and timetable are for getting a new PC member. **Drentlaw** said the mayor is aware of the situation and has already begun interviewing people for the position. He thinks it is quite likely that someone will be appointed before the Wal-Mart hearings begin.

## ADJOURN

With no other business at hand, the meeting was adjourned at 9:15 p.m.



Linda Carter, Planning Commission  
Chairperson



Sean Cook, Associate Planner

**CITY OF OREGON CITY  
PLANNING COMMISSION MINUTES**

**February 10, 2003**

**(Joint Work Session between Planning Commission and City Commission)**

**COMMISSIONERS PRESENT**

Chairperson Carter  
Commissioner Lajoie  
Commissioner Mengelberg  
Commissioner Orzen

**STAFF PRESENT**

Sean Cook, Associate Planner  
Dee Craig, Director of Parks and Recreation  
Dan Drentlaw, Planning Director  
Gordon Huiras, Director of Public Safety  
Nancy Kraushaar, City Engineer  
Pat Johnson, Recording Secretary

**CITY COMMISSIONERS PRESENT**

Mayor Norris  
Commission President Lemons  
Commissioner Bailey  
Commissioner Hewitt  
Commissioner Neeley

**COMMISSIONERS ABSENT**

Commissioner Main

**1. CALL TO ORDER**

**Mayor Norris** called the meeting to order at 7:00 p.m.

**2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**

None.

**3. WORK SESSION: Highway 99E/McLoughlin Boulevard Plan** (Nancy Kraushaar)

**Kraushaar** made the presentation for the McLoughlin Boulevard Enhancement Plan project, which is being funded by a TGM (Transportation Growth Management) grant, which is administered by ODOT (Oregon Department of Transportation). She explained that ODOT provides funds for cities and counties to do projects that link land use and transportation together.

**Kraushaar** said staff has working on the project since October 2002, along with Jerry Mitchell and Jeff Mitchem of Capital Project Consultants. (Mitchell is the project manager.) She said they have had one public open house for discussion with the stakeholders and many members of the community. She said there is also a Technical Advisory Committee comprised of representatives of ODOT (Traffic plus Planning), Tri-Met, Metro, and the City of Oregon City. There is also a Citizens Advisory Committee, which is comprised of about 20 people who represent many types of citizens in Oregon City, which has met twice thus far.

**Kraushaar** then introduced **Mitchell**, who used a Power Point presentation of various visual images of the City along with his verbal presentation. He said to date they have done the existing conditions assessment, which is summarized in the report which was distributed earlier. (Copies of this report and the project goals are available in the public record.) **Mitchell** said they looked at state, regional and local plans and policies very seriously because those guide what can and must be done. He said they looked most closely at Oregon City's Waterfront Master Plan and Downtown Community Plan, and also very closely at the proposed plan districts as set forth in the Downtown Community Plan. They then looked at streetscape, primarily from a pedestrian's perspective in walking the corridor. They also talked about motor vehicles, bicycles, and transit.



He said the third section of the Existing Conditions memo is about transportation, which is DKS Associates' assessment of existing conditions and which includes some new work considering existing traffic volumes and existing forecasts of future volumes. (He noted that Carl Springer of DKS was in attendance to discuss this further or answer questions, if so desired.)

**Mitchell** said if he had to summarize the existing conditions in one or two sentences, he would say that land uses adjacent to McLoughlin Boulevard have become disconnected from operations on McLoughlin Blvd., especially downtown and, to some extent, in spite of McLoughlin. In other words, the businesses have turned their backs to McLoughlin and in some cases have torn the buildings down and put surface parking next to McLoughlin. He said the challenge now is to figure out how to reconnect land uses to operations on McLoughlin.

Speaking briefly about the current work and the next task, **Mitchell** said they are now looking at the opportunities and constraints to achieving the project goals. They have developed a goals statement, pulling information from the existing plans as a guide from the community, and have divided the corridor into informal segments to better manage the process. They will then develop evaluation criteria that will be used to evaluate alternative designs (which is the next test). He then asked for input based on the evaluation criteria once they have distributed it to the two commissions (City and Planning).

**Neeley** noted that Mitchell had made a small reference to pedestrians, but said he wanted to note that he thinks it is important to have a connection from downtown to the riverfront, which **Mitchell** said they would consider.

**Mengelberg** added that she thinks we need to expand the sidewalk network on both sides of McLoughlin. Also, she would like to see some creative suggestions for buffering noise, and consideration for reducing the number of driveways onto McLoughlin.

**Mitchell** then gave a more detailed explanation of the project in three different segments. They were:

1. Opportunities and Constraints: This is a process of evaluating the existing conditions through the project goals. He said there are different layers of the street, which include street segments; sidewalk-oriented buildings; bike connectivity; mass transit facilities, operations, and related stops and transit centers; parks/open space (including the river resource nearby); signalized intersections (for motorists, bicyclists, and pedestrians); and major attractions which cause demand for travel for bicyclists and pedestrians.
2. Streetscape Composite: They have identified six segments from the south to the north (entitled South Entrance, Riverfront Historic Downtown, Multi-Use Path Commercial Corridor South, Freeway Interchange, Commercial Corridor North, and Green Corridor North Entrance on the "Opportunities & Constraints" page of the handout). To this color coded symbols have been added to indicate such things as surface conditions (parking lots or underdeveloped lots); views; pedestrian crossings, signals, bike routes, and bus stops and shelters. Regarding the issue of building orientation, the lots colored in green have direct relationship (primary pedestrian access) to the sidewalk and those in gray do not have a direct relationship to the sidewalk but have oriented their primary entrances to surface parking lots instead. (This only applies to the structures adjacent to McLoughlin.)

He said they would be dedicating their energies to exploring thoroughly what this composite means in terms of opportunities and constraints on a segment-by-segment basis. Within each segment, there is a series of primary (entry level) topics to which they will add the opportunities and constraints in the process of determining how to reach the goals.

3. Design Elements: In distinguishing the design elements, there must be a way to describe the distinctions among the alternatives for the improvements and recommendations in the final recommendations of this plan. For this project, a vocabulary has developed which is organized by different levels of improvement. **Mitchell** showed some pictures as he explained the different levels. They include:

- Safety Improvements: These kinds of things enhance safety to pedestrians and bicyclists, and improve operations for transit and vehicles. Some examples of safety improvements might include ADA requirements; pedestrian-activated crossings (crosswalk buttons); greater visibility of crosswalks and enhancing crossings where demand dictates; removing obstacles in existing problems; widening sidewalks; and providing crossings that provide pedestrians refuge.
- Streetscape Improvements: These are street furnishings or other things that make a street a more attractive and comfortable place to be. This is something that takes place over many blocks and might include street trees; historic paving materials; baskets and/or planters; seating; banners; aesthetic treatments to trash and recycling receptacles, and phone booths.
- Focal Point: Using the same set of improvements, investments, or tools, there is a focus at key crossings. This intensifies a feeling of a street-furnishing zone as you approach an intersection, reaching a crescendo at the intersection itself and then fading away fairly quickly. This might include pushing the streetscape back into the block face a little bit; demand or need for additional information (i.e., for bus routes or district activities); expanded/enlarged/improved transit facilities; fountains; special paving on the sidewalk and street itself (which is traffic calming); and gateway opportunities or vertical elements.
- District Improvements: These improvements are cumulative, but add improvements, which relate to the private side of the equation. They enhance the appearance of structures and provide a greater opportunity for people who are working or living or enjoying the inside of structures to participate with the environment immediately outside of the structure. This is a multiple-block condition, which might include building facade improvements (including reorientation to the sidewalk); improvement to use places in all weather; public art (murals); and painting of thematic treatments. The whole approach and sense of this is that of arriving at a place and experiencing it for many blocks, and then exiting it.

**Mitchell** then explained that they like to do these design elements in different types of levels or responses to the opportunities and constraints, and generally present these in three packages spatially or geographically. The elements are combined in one of three ways:

1. Linear, in which you treat the corridor as one element and you distribute most of these investments throughout the entire length of the corridor. There would be little variation or distinction throughout the length, and the tendency is to prioritize the multi-modal or throughput efficiency of the entire corridor.
2. Point, which consolidates these at key crossing locations for a consistent, repetitive level of crossing and emphasis of these improvements at a fairly predictable level or frequency throughout the length.
3. District, which recognizes or enhances some of the unique character opportunities throughout the district, recognizing that there is an opportunity to establish a cultural focus for different places within the district.

Or a preferred alternative might be to combine the best of all three of these. The hopeful result will be to create a feeling that, rather than a corridor; this is a collection of unique places connected by a segmental treatment (which may be the same or which may vary slightly).

**Neeley** recalled a walk the commissioners took through the downtown area during which **Bailey** had pointed out an area where the West Linn bridges crosses the river, which is a very constrained area for traffic (and not

particularly safe for traffic), but which could be an excellent pedestrian area from the elevator to the river and on up to the promenade. **Mitchell** agreed, saying that area (7<sup>th</sup> Street) is at least a focal point.

**Chair Carter** said an important issue to her is that the PC had a lot of discussion about what to do with the buildings that have frontage on both Main Street and McLoughlin (99E). She thinks this needs resolution before deciding many of the other issues. **Mitchell** agreed, saying they need a streetscape concept that will support and be supported by development on private property.

**Chair Carter** said another issue is the speed of traffic through that area, which directly relates to the feasibility of building fronts facing McLoughlin.

**Kraushaar** added that we need to consider on-street parking and whether there are places that are appropriate for such on McLoughlin.

With these issues being raised, **Mitchell** introduced **Carl Springer** of DKS to discuss the transportation issues.

Before his presentation, though, **Hewitt** asked if any of the downtown business-owners are included in these discussions, to which **Kraushaar** replied that anyone who owns property along the entire corridor (including on Main Street) were invited to the stakeholders meeting. **Mitchell** said some have attended and he has gone door-to-door to talk with some of the business owners. He said there seems to be a lot of interest and pretty good awareness, and some who are located between 11<sup>th</sup> and 15<sup>th</sup> have expressed an interest in seeing more pedestrian traffic.

**Springer** distributed a diagram from Chapter 3 of the existing conditions for a quick overview, which showed the corridor from north to south. He said the ADT (Average Daily Travel) varies from about 40,000 vehicles per day under the freeway down to about 20,000 by the tunnel, noting that about half of the vehicles turn and go up the hill. He also noted that the facility as it is currently sized is eight or nine lanes wide under the freeway and four lanes wide at the south end.

He said they counted volumes of autos, buses, trucks, bikes, and pedestrians during the morning, mid-day, and the p.m. peak hour periods to get a good feel for the volume throughout the day. They found that:

- The highest pedestrian use locations were at Main Street and Dunes, and all the other intersections on McLoughlin were fairly low because about the middle third of the corridor really has no place for pedestrians to cross, thus making attempted crossings very unsafe.
- There are basically no bike lanes or facilities on McLoughlin, and they observed zero bikes during those times of day. (This did not include Main Street, which is a much safer street to traverse on a bike.)
- Regarding vehicle capacity and its operation, the two intersections that showed up on a recurring basis were at the southbound ramps at 205, and at 14<sup>th</sup> Street in the morning. He added that the West Linn bridge, although not an actual intersection, bears heavy traffic in the afternoon.

**Springer** noted that the crash rate (calculated by a specific formula) from the freeway (205) on down is three to four times the average elsewhere in the state. He thought this could probably be directly related to the fact that the access spacing standards (for the number of driveways and streets) are three to four times as frequent as the city street standards suggest.

**LaJoie** said he thought part of the issue must also be one of speed (as compared to Hawthorne Boulevard in Portland), and **Springer** agreed. **Springer** said it might also be because of access control in that McLoughlin is

mostly 5-lane with no medians. He suggested that it might be more viable to either have some kind of median control or to close the gap.

When **Mengelberg** asked if Springer was talking about particular intersections, **Huiras** said the biggest problems were at the intersections of 99 and Dunes, all of the 205 ramps, and east of 99.

**Springer** said another issue is what will happen to the southbound slip lane, particularly if the desire is to produce a pedestrian crossing, perhaps at 14<sup>th</sup>. One question is whether the slip lane really gives good results because, in fact, traffic studies show that there is generally very little time savings associated with slip lanes.

He noted that another issue or option is to use the existing slip lane for something else (i.e., a bus rapid transit).

**Mengelberg** asked at what rate traffic volume is projected for increase per year. **Springer** said historically it is about 2%.

**Lajoie** asked if someone could cite another parallel of a street/corridor that carries 40,000 vehicles per day, and it was noted that Sandy Boulevard carries that much in parts, as does Macadam. **Springer** said in his experience it is not uncommon for well-designed five-lane arterials to carry 50-60,000, depending on how far apart the intersections are spaced, the amount of access control, etc. For instance, he said Murray Boulevard carries about 50,000 per day but that much of it is extremely well access-controlled in that there are absolutely no driveways between signals. The same amount (about 50,000) is true on Tualatin Valley Highway.

**Springer** said one question is whether it is likely that we would ever *not* have five lanes on McLoughlin, but according to the plans he has seen, probably not.

He also added that truck volumes are fairly high (about 10% in morning and peak hours), which is pretty high on arterials, and they are likely to remain so.

**Neeley** said he thinks the Transportation System Plan (TSP) calls for 12<sup>th</sup> Street coming onto McLoughlin, which was confirmed. In considering pedestrian issues, he suggested consideration of a tunnel underneath McLoughlin for access to the river. **Springer** said that is a possibility, noting that they are definitely looking for opportunities for more signalized pedestrian crossings but this might be an alternative.

**Chair Carter** suggested consideration of a pedestrian crossing over the top of McLoughlin as well, and Lemons agreed with an earlier comment in that he expects there will be even more truck traffic in the future.

**Bailey** referred to examples of surface treatment and asked to what degree those traffic-calming techniques work in high-volume, high-speed situations, and to what degree signals and landscaping affect traffic. **Mitchem** said the most sensible solution involves as many improvements as possible, which can make a real difference. For instance, he said he can't understate the value of the vertical element (i.e., perhaps a wall) which can make a difference in the perceived width yet not change the actual width at all.

**Bailey** said he sees two specific needs, those being traffic needs versus pedestrian and bicycle needs. He said if the crossings were limited but were made to be very attractive, he thought people wouldn't mind walking a ways to them rather than crossing at an unsafe place.



Regarding pedestrian crossings, **Neeley** recalled that the proposals include Mixed Use zoning. He thought that if people on the third floor of a building could gain access to the river from that level without having to go to the street level and cross the highway, which could be attractive. **Springer** said experience shows that over

crossings generally don't get used much. **Mitchell** agreed, saying they had done studies in Salem and Milwaukie and found this to be true, although he noted that in some cases this might be a good solution but they can also deactivate the street by taking away foot traffic from the businesses at street level.

#### ADJOURN

Due to time constraints in order for the Planning Commission to continue with the evening's business, **Mayor Norris** closed this portion of the meeting at 8:05 p.m.

Before dispersing, **Kraushaar** noted that the PC has a representative in Mengelberg at these meetings. She also noted that the next public open house/stakeholders meeting is tentatively scheduled for May 1<sup>st</sup>.

  4.28.03  
\_\_\_\_\_  
Linda Carter, Planning Commission      Sean Cook, Associate Planner  
Chairperson