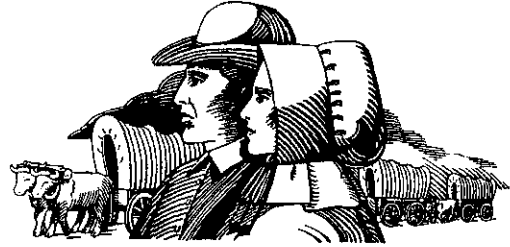


CITY OF OREGON CITY

PLANNING COMMISSION

320 WARNER MILNE ROAD
TEL 503 657-0891

OREGON CITY, OREGON 97045
FAX 657-7892



AGENDA

City Commission Chambers - City Hall
September 24, 7:00 P.M.

PLANNING COMMISSION MEETING

- 7:00 p.m. 1. **CALL TO ORDER**
- 7:05 p.m. 2. **PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**
- 7:10 p.m. 3. **APPROVAL OF MINUTES:** *August 13, 2001; August 15, 2001; August 27, 2001*
- 7:15 p.m. 4. **HEARINGS:**
- L 01-01(Legislative):** City of Oregon City Molalla Avenue Corridor Safety and Enhancement Plan; Adoption by City Resolution (**Continued**)
- 8:00 p.m. **CU 01-02:** City of Oregon City; Conditional Use for the Creation of a New Amtrak Station and Parking Lot; 1799 Washington Street, Clackamas County Map 2-2E-29, Tax Lot 1402
- 8:45 p.m. **OLD BUSINESS**
- Adoption of Findings:** VR 99-07 Remand of LUBA 2000-125/City AP 00-03/ James McKnight/161 Barclay Avenue/Clackamas County Map # 2-2E-31DC, Tax Lot 5400; Variance to allow a reduction in the lot depth from 100 feet to 80 feet.
- 9:00 p.m. 5. **NEW BUSINESS**
- A. Staff Communications to the Commission**
- B. Comments by Commissioners**
- 9:10 p.m. 6. **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.

DRAFT

**CITY OF OREGON CITY
PLANNING COMMISSION MINUTES
August 13, 2001**

COMMISSIONERS PRESENT

Chairperson Carter
Commissioner Bailey
Commissioner Main
Commissioner Orzen
Commissioner Surratt

STAFF PRESENT

Maggie Collins, Planning Manager
Bryan Cosgrove, Assistant City Manager
Jonathan Kahnoski, Recording Secretary

1. CALL TO ORDER

Chairperson Carter called the meeting to order.

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

None.

3. APPROVAL OF MINUTES: June 25, 2001

Commissioner Bailey moved to accept the minutes of the June 25, 2001, Planning Commission meeting with no changes, **Commissioner Surratt** seconded.

Ayes: Bailey, Main, Surratt, Carter; Nays: None; Abstain: Orzen

4. PUBLIC HEARINGS

None

WORKSESSIONS:

Commissioner Bailey asked Maggie Collins on what date the Planning Commission continued its public hearing concerning the matter remanded from the City Commission. **Ms. Collins** promised to confirm the date, either August 27th or September 9th.

A. L 01-02; Jesse Court Park Master Plan

Dee Craig, Parks and Recreation Director, City of Oregon City, City Hall, Oregon City, OR 97045

Kurt Lango, Lango Hansen Landscape Architects, 239 NW 13th, Portland, OR 97207

Dee Craig introduced Kurt Lango as the consultant who has worked with the Parks and Recreation Department to develop the Jesse Court Park Master Plan. **Ms. Craig** explained that the City purchased the property from the Oregon City School District in 1998. She said the property is just outside the City, but that its annexation will be on the ballot for the next election. She said that the park is being designed according to City standards rather than Clackamas County standards. She said there have been four public hearings, the last of which was two weeks ago at the site of the future park.

Chairperson Carter asked why the Parks and Recreation Department is preparing plans for a park that is not within the boundaries of the City. **Ms. Craig** explained that the City has owned the property since 1998, and can establish a park that is not within the City. She pointed out that Portland owns and maintains a number of parks outside of Portland, including a golf course located within the limits of Tualatin Hills. She said, however, that the Department expects annexation of the property to be approved at the next election and wanted to start planning now rather than delay.

Kurt Lango presented a list of what facilities are planned for the park: baseball and soccer fields; large, open grass areas; children's playgrounds; multi-paved areas for basketball; picnic areas with shelters; restrooms; and paved walkways. He said residents attending the four public workshops indicated there was general interest in these kinds of facilities.

Mr. Lango indicated on a large presentation map where a new road that will link the park to streets to the North, and highlighted the location of a high-voltage transmission tower owned by Portland General Electric, and the easement required by PGE under the wires supported by the tower. He explained that PGE discourages parking areas, play areas, or tall structures or towers in the easement area.

Mr. Lango said that the overall design of the park started with facing the two baseball diamonds to the northeast and the southeast so as to avoid the afternoon sun. He said the park site totals 13.5 acres. He said there will be a parking lot for 70 cars, which nearby residents seemed to agree would be enough so that park users would not be parking in their neighborhoods. He stressed that the basketball court is located so as to be visible easily from the street. He indicated an area in the southeast corner of the park may be designated a pet off-leash area. Finally, he said the baseball field to the north may be lighted; but, because of the PGE easement, the baseball field to the south could not be lighted.

Ms. Craig said there are two subdivisions on the east boundary of the park site that have been approved by the City for construction. She said that these approvals included a requirement for public access to the park through the subdivisions, and that this requirement was promised at each of the four public hearings. **Ms. Craig** said she has spoken with each of the two developers and learned that they will be asking the Planning Commission to remove that requirement. She stated that she does not support the removal of the public access requirement.

Commissioner Bailey asked about public participation at each of the four public hearings. **Mr. Lango** said that the hearings were held on very nice evenings that resulted in light turnout, but that attendance increased as the plans for the park became better developed. He estimated that approximately 30 people attended the last hearing. He said the hearings were supplemented by a series of surveys sent to anyone residing within a 1,000 feet of the park site. **Ms. Craig** noted that it has been difficult to contact everyone in the vicinity of the park site because the area is in flux, with new homes completed and new owners moving in every day. She explained that the sign announcing the intended park, in place since 1998, is on the west side of the site, facing west. Hence, new residents to the east of the site were surprised to learn of the City's plans for the site. She said that new residents told her that the developers indicated that the property would not be developed.

Commissioner Bailey asked about how the size and configuration of the baseball and soccer fields had been determined. **Ms. Craig** said that Bill Woods with Oregon City Youth Sports has been very active in the development of the master plan, and the size and orientation of the fields were done to meet their needs.

Chairperson Carter asked if the plan is to fence the entire perimeter of the park. **Ms. Craig** said that that is not the plan, at present. She said the off-leash area would be fenced, and that one of the developments is required to install fencing along its property lines. She said most of the other residential lots abutting the park site already are fenced. **Chairperson Carter** asked what the width of the public access path would be. **Ms. Craig** said the public right-of-way would be eight to ten feet wide, with four to six feet of that paved as walkway. **Commissioner Surratt** asked how large the proposed lot sites are. **Maggie Collins** said that they would be 6,000 to 8,000 square feet.

Commissioner Main asked if there had been any consideration of tennis courts. **Ms. Craig** and **Mr. Lango** said that no interest was expressed in tennis courts. **Ms. Craig** said that existing City tennis courts are rarely used, but she noted that they are not in very good condition. She said the Department has plans to upgrade the courts and offer tennis lessons.

Commissioner Bailey asked what the timeline for implementing the park plan is. **Ms. Craig** explained that the master plan will be before the City Commission in a work

session scheduled for Wednesday, August 15th. Depending upon the response from the Planning Commission and the City Commission, they will finalize the master plan and formally submit it to the Planning Commission, in three to six months. She said that her goal is to have everything ready so that she can budget construction funds in the Park SDC budget for next year, with construction to start July, 2002, or July, 2003 at the latest. She said she hopes to apply for a Land and Water State grant.

Chairperson Carter asked if there had been any consideration for a second basketball court at the north end of the park. **Mr. Lango** said that, as the north end is developed with a street access, a basketball court would be possible. He said the critical factor is visibility from a public street.

Commissioner Main asked if the City has any other park with a permanent structure for concessions. **Ms. Craig** said there is no other park with a facility. She said that, currently, Chapin brings in a trailer to sell refreshments in order to raise money for Oregon City Sports. She said that there are no plans for a permanent concession business. She explained that the permanent structure will be available to different organizations rather than having them bring in trailers. She said also that the Parks and Recreation Department will use the structure if and when they operate a program at this park.

Commissioner Surratt asked what rules, if any, the City has regarding private gates in backyard fences providing access into the park. **Ms. Craig** estimated that over 50 percent of the backyards adjacent to Chapin Park have private gates into the park. She said she is unaware of any prohibition of such gates.

Ms. Collins stated that Planning Department staff has supported the requirement for public pedestrian access to the park. She said that, when the park plan comes before the Planning Commission, the staff report will reflect that support.

B. AN 01-05; Citywide Island Annexation Project

Bryan Cosgrove offered to walk the Commissioners through the process of the Annexation Project. He said the process started in October, 1999, with the adoption of resolution 99-39 by the City Commission; but, the actual discussion of the City annexing the County islands began about a year and a half before that. He stated that the annexation involves 29 separate County islands located inside the City limits. He said most of these islands are urbanized, with a few areas with sizeable parcels of undeveloped land. He stated that the type of development reflected in these islands can no longer happen because of the passage of State of Oregon land use planning laws. He pointed out that many of the residences in these areas use septic systems rather than City sewer services. He explained State law now requires that when a residence septic system fails, and that residence is within 300 feet of a City sewer line, the owner of the residence cannot replace the septic system but must connect to the sewer system. He noted that the

City prefers to not extend City services outside of its incorporated boundaries because it creates complicated relations with the County government.

Mr. Cosgrove explained that, ordinarily, annexations always come to the Planning Commission unless they are either health hazards or resolutions of the City Commission. He said City Commission Resolution 99-39 began the process, listing the reasons why the City wished to annex the county islands. He presented City Commission Resolution 01-31, which will go before the City Commission for approval and which lists each of the 29 parcels to be annexed.

Mr. Cosgrove said that the 29 islands compose 280 acres with a total assessed valuation between 44 and 50 million dollars. He said approximately 300-500 people reside in these islands, with some fluctuation with people moving in and out.

Mr. Cosgrove explained that City annexation of County islands is common in the State of Oregon. He said that State statute gives cities wide latitude in these situations because there is broad recognition on the part of State lawmakers and county governments that cities are the best overall providers of urban services. He said one of the biggest reasons for these annexations is equity between a resident of the City and their neighbor just across the City limits in one of these County islands. He said both parties receive the same services, but the county resident pays two-to-three dollars per thousand dollars of assessed value less in property taxes than the City resident pays. He said the another major reason for annexation is that the residents of the county islands do not count as residents of the City of Oregon City, even though most of these people would identify themselves as such. Not counting these people means the City loses a significant amount of money from State shared revenue – anywhere from four to six percent of what the City currently receives – from street funding and cigarette taxes. Finally, he said the City is providing first response of emergency services in the County islands that creates a drain on resources that is not reimbursed.

Chairperson Carter asked how much of a financial impact would the annexation have on the resident taxpayer in the County islands. **Mr. Cosgrove** estimated that the average will be a fourteen percent increase in a resident's annual property taxes. He acknowledged that this is a significant amount, especially for those on fixed incomes; but, he said it was much less than earlier estimates of a thirty-three percent increase. He said the net increase reflects a number of new charges and a number of decreases.

Commissioner Main asked if any of the island residents are connected to the City sewer system now. **Mr. Cosgrove** said he would not say, absolutely, "no," but said it is not very likely because the City has a policy of requiring a non-remonstrance agreement to petition for annexation from anyone who connects to the City sewer. **Commissioner Main** asked if the City would be required to run sewer lines into the annexed areas if septic systems failed there. **Mr. Cosgrove** said he expected that to be the main question at the City Commission meeting Wednesday (August 15th). He said he cannot explain the

cost figure of \$20,000 - \$30,000 to connect to the sewer system that appeared in the newspaper. He explained that the septic systems in the County islands were installed in the early to mid-1970s and they are starting to fail. He said that State law requires these people to connect to the City sewer system, but the City will not allow them to connect unless they agree to petition for annexation. He said annexation process can cost the individual \$10,000 for filing fees, consultant fees, and costs associated with the election. He said the residents in the County islands will be spared these costs when their septic systems fail. He acknowledged that these residents will pay increased taxes, but noted the benefits of being a resident of the City such as voting in City elections.

Commissioner Main asked if the annexation resolution includes all of the existing islands. **Mr. Cosgrove** confirmed that it includes all of the islands that the City staff is aware of. **Commissioner Main** asked how Clackamas County feels about the annexation. **Mr. Cosgrove** explained that Clackamas County government is not concerned because they will continue to receive their property tax revenues. He said it is the special service districts that will lose ratepayers. He said Clackamas Fire District #1 has expressed reservation because they will lose some assessed valuation and therefore less revenue. **Chairperson Carter** pointed out that they would not have to service the island areas any longer. **Mr. Cosgrove** pointed out that fire agencies respond regardless of whether they are legally required to; he said the standard practice for them is to respond to the emergency. **Commissioner Bailey** asked if City Staff has considered annexing everything out to the City's urban growth boundary. **Mr. Cosgrove** said Staff is always willing to consider such ideas and that he, on a personal note, believes it would be a good idea.

Chairperson Carter suggested that voters, in weighing the pros and cons of annexation, should consider carefully the full cost of sewer hook up and financing annexation petitions and elections individually. **Commissioner Surratt** asked if there were any suggestions about sliding fees for residents facing financial hardship. **Mr. Cosgrove** said that the City would assist an individual resident requiring a new sewer line by reimbursing them as their neighbors have failed septic systems and hook up to that line. **Commissioner Main** asked what zoning classification these parcels would have. **Mr. Cosgrove** stated that if the parcel is residential, it will be annexed automatically as R-10; if the parcel is industrial, it can petition to come in, with approval of the Planning Commission, as one of three zoning classifications: Light Industrial, Heavy Industrial, or Campus Industrial; if the parcel is commercial, it is annexed commercial. He said 95 percent of the islands are residential with a little industrial.

Mr. Cosgrove stressed that the City is trying to work with the residents of the County islands to mitigate the financial impact of annexation so that they will not resent the City.

Commissioner Main asked what the timeline for the annexation project is. **Mr. Cosgrove** stated that, assuming the City Commission refers the annexation to the voters,

it will be on the November 6th ballot. He said that it will be voted on only by voters within the City of Oregon City; residents of the islands do not get to vote.

Kathy Hogan, 19721 S. Central Point Road, Oregon City, OR.

Ms. Hogan disagreed with Mr. Cosgrove's comments, in particular the increased taxes and the cost of connecting to the City sewer system. She disagreed that she receives City, rather than County, services. She stated that the City always will find itself drawn outside its existing boundaries wherever they are drawn. She said the City should learn to balance its budget rather than attempt to increase revenues by annexing surrounding areas. She stated that the estimates of costs to residents presented by the City are low because they underestimate the assessed value of the homes in the County islands.

Commissioner Bailey asked if it would be useful for the Planning Commission to send a representative to the City Commission meeting Wednesday to reinforce the Planning Commission's support of the annexation resolution. After some discussion, the Planning Commissioners agreed to submit a short written statement in support of the annexation resolution.

5. OLD BUSINESS

A. Miscellaneous

None

6. NEW BUSINESS

A. Staff Communication to the Commission

Ms. Collins presented the registration form for the Conference on Sustainability in Portland, OR, brought in by Commissioner Mengelberg. She said there is money in the Planning Division budget to pay half of the registration fee of any Commissioner wishing to attend.

Ms. Collins distributed to each Commissioner a notebook containing the conditional use document for the Amtrak Station conditional use permit to be considered at the Planning Commission's meeting scheduled for August 27th. She said she was distributing the notebooks at the meeting to save mailing costs.

Ms. Collins announced that the Planning Department has hired two Assistant Planners who both started today: Christina Robertson and Tony Konkol. She said they both have master's degrees in urban planning from Portland State University.

B. Comments by the Commissioners

Commissioner Bailey presented a copy of an Astoria periodical called 'Hipfish' that contains a very good article on land use planning and educating the average citizen about it.

7. ADJOURN

All Commissioners agreed to adjourn.

**Linda Carter, Planning Commission
Chairperson**

Maggie Collins, Planning Manager

DRAFT

**CITY OF OREGON CITY
PLANNING COMMISSION MINUTES
August 15, 2001**

COMMISSIONERS PRESENT

Chairperson Carter
Commissioner Bailey
Commissioner Main
Commissioner Orzen
Commissioner Surratt

STAFF PRESENT

Maggie Collins, Planning Manager
Sharon Zimmerman, Senior Engineer
Jonathan Kahnoski, Recording Secretary
Dee Craig, Parks and Recreation Director

1. CALL TO ORDER

Chairperson Carter called the meeting to order.

2. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA:

None.

**3. REVIEW OF WORK SESSION NOTES: June 13, 2001 Worksession
 July 11, 2001 Worksession**

Commissioner Orzen moved to approve the minutes of the Worksession of June 13, 2001 as submitted. **Commissioner Surratt** seconded.

Ayes: Bailey, Main, Orzen, Surratt, Carter; Nays: None; Abstains: None.

Commissioner Surratt moved to approve the minutes of the Worksession of July 11, 2001 as submitted. **Commissioner Orzen** seconded.

Ayes: Bailey, Main, Orzen, Surratt, Carter; Nays: None; Abstains: None.

4. WORKSESSION: Presentation of Oregon City Waterfront Master Plan

Sharon Zimmerman, Senior Engineer
Mike Zilis, Walker Macy
Shelby Edwards, Economist, Leland Consulting Group

Ms. Zimmerman provided a brief background of the Oregon City Waterfront Master Plan, including a list of the objectives of the Plan:

- a) identify suitable land use categories while addressing the need for expanding the local sewer district facility
- b) develop a real estate development strategic plan
- c) balance the natural environment along with economic potential for public and private development
- d) develop multi-modal connectivity, and
- e) provide a strategic implementation plan.

She stated that the consultants had presented the results of their work in two public open houses. She then introduced Mike Zilis and Shelby Edwards.

Mr. Zilis explained that Walker Macy is leading a team of consultants in preparing the Master Plan, and then provided a timeline of what had been accomplished to date, including conducting over thirty telephone interviews with landowners and City Commissioners and others, completing a research and analysis phase, preparing a preliminary plan, and then refining that preliminary plan into a preliminary master plan to be presented at this meeting. He said the first public hearing concerning the Master Plan will be October 8, 2001.

Mr. Zilis said that they had reviewed all of the property bordering Clackamas Cove and the Clackamas and Willamette Rivers, categorizing the existing habitat as to good, fair, and poor. He displayed an overlay of the Master Plan area that shows which areas are categorized good, fair, and poor.

Mr. Zilis displayed a list of 'key concerns' identified during the interviews and public open houses:

- 1) Return Oregon City to its riverfront heritage
- 2) Recreate 'Abernethy Green'
- 3) Help revitalize downtown
- 4) Acquire the remaining waterfront parcels
- 5) Encourage limited economic development
- 6) Develop at a human scale that blends in with the environment
- 7) Encourage mixed use redevelopment in a suitable location
- 8) Enhance the natural resource areas.
- 9) Be proactive about water resources setbacks
- 10) Improve connectivity (autos, bicycles, pedestrians)
- 11) Develop a heritage trail
- 12) Accommodate regional recreation
- 13) Develop the cove area for family recreation
- 14) Develop a 'boardwalk' along the Willamette River
- 15) Provide locations from which to view Willamette Falls

- 16) Encourage fishing and watercraft activities
- 17) Accommodate tour boats and water taxis
- 18) Partner with other public entities
- 19) Leverage available funds

Mr. Zilis said they had developed six goals for the project:

- 1) Increase employment opportunities
- 2) Increase the tax base
- 3) Create development themes
- 4) Enhance habitat and riparian areas
- 5) Identify public projects
- 6) Integrate open spaces

Mr. Zilis listed six items that create a strategy for success:

- 1) Create a 'great plan'
- 2) Define a series of attainable projects within the plan
- 3) Solicit stakeholder input and encourage ownership
- 4) Support committed leadership
- 5) Determine development standards for the area
- 6) Enhance communication and develop partnerships.

Ms. Edwards presented information concerning market and real estate analysis of the Master Plan area. She explained that they focused more on implementation strategies than ordinary market analysis because the latter is obsolete in six months. She said their research uncovered three key things:

- 1) New office space is not a good option at this time because of an existing 17% vacancy rate for office space in the Oregon City area, and because any office structure in the Master Plan area would have to be raised above the flood plain, making it cost prohibitive at this time.
- 2) There is a relative strong retail market with opportunity for either a greater mix of retailers and/or a different mix of retailers.
- 3) There is a strong interest upon the part of developers in multi-family housing.

Mr. Zilis presented a set of preliminary recommendations covering the following categories: the Willamette River Waterfront, the Clackamas River Waterfront, Clackamette Park, Clackamas Cove, McLoughlin Boulevard, Transportation Linkages, and Mixed Use Zoning Opportunities.

He presented several overlays displaying different configurations of land use in the Master Plan area. He also displayed a series of photos giving examples of residential, commercial/office, and historic reuse development.

Commissioner Bailey asked if the consultants will be assisting the City in preparing an implementation plan. **Ms. Edwards** explained that a section of the outline of the Master Plan has been set aside for the implementation plan.

The Commissioners complimented the staff and consultants on the Plan's outline as presented.

5. ADJOURN

Chairperson Carter adjourned the worksession.

Linda Carter, Chairperson

Maggie Collins, Planning Manager

DRAFT

**CITY OF OREGON CITY
PLANNING COMMISSION MINUTES
August 27, 2001**

COMMISSIONERS PRESENT

Chairperson Carter
Commissioner Bailey
Commissioner Main
Commissioner Mengelberg
Commissioner Orzen
Commissioner Surratt

STAFF PRESENT

Bryan Cosgrove, Assistant City Manager
Sean Cook, Assistant Planner
William Kabeiseman, City Attorney
Nancy Kraushaar, City Engineer
Jonathan Kahnoski, Recording Secretary

1. CALL TO ORDER

Chairperson Carter called the meeting to order.

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

None.

3. APPROVAL OF MINUTES: July 23, 2001

Commissioner Main noted one correction: on page 3, last paragraph, "...providing documents to Ms. *Long*..." should be "...providing documents to Ms. *Lord*..."

Commissioner Orzen moved to accept the minutes of the July 23, 2001 Planning Commission meeting with one correction; **Commissioner Main** seconded.

Ayes: Bailey, Main, Mengelberg, Orzen; Nays: None; Abstains: Surratt

4. PUBLIC HEARINGS

Chairperson Carter reviewed the public hearing process and stated the time limitations for the speakers in the public hearing. **Chairperson Carter** asked if any Commissioner had a conflict of interest. None stated they had an ex parte bias.

OPEN OF PUBLIC HEARING (Quasi-Judicial)

VR 99-07; Remand of LUBA 2000-125/ City AP 00-03/James McKnight/161 Barclay Avenue/Clackamas County Map # 2-2E-31DC, Tax Lot 5400; Variance to allow a reduction in the lot depth from 100 feet to 80 feet.

STAFF REPORT

Bryan Cosgrove reviewed briefly the history of VR 99-07. **William Kabeiseman** reviewed the two questions before the Commissioners: OCMC 17.60.020(C) and OCMC 17.60.020(F). **Mr. Kabeiseman** explained that OCMC 17.60.020(C) involves whether or not the applicant's circumstances are self-imposed or merely constitute a monetary hardship or inconvenience, noting that a self-imposed difficulty will be found if the applicant knew or should have known of the restriction at the time the site was purchased. He explained that OCMC 17.60.020(F) involves whether or not the variance conforms to the Comprehensive Plan's intent of the Ordinance being varied. Concerning OCMC 17.60.020(C), **Mr. Kabeiseman** further explained that LUBA said that the City's findings did not address the second prong of that criterion, that the applicant's circumstances do not constitute merely a monetary hardship or inconvenience. Concerning OCMC 17.60.020(F), he further explained that LUBA stated that the City, in its findings that the applicant's variance did further to the Comprehensive Plan's intent, failed to cite the specific provisions in the Comprehensive Plan.

TESTIMONY IN FAVOR

Jill Long, 101 SW Main St, 15th Floor, Portland, OR 97204, representing the applicants James and Diane McKnight.

Ms. Long asserted that the City Commission found that the applicant's hardship, under OCMC 17.60.020(C), was the loss of a property right he had originally, but lost through no fault of his. **Ms. Long** explained that the applicant had been told, at a pre-application conference with City Staff on August 5, 1998, that he could proceed with his plan to partition his property without a variance even though the ordinance governing minimum lot depths was going to be changed from 60 feet to 80 feet. Applicant was informed in a subsequent pre-application conference on June 24, 1999, that he would have to have a variance after all.

Concerning OCMC 17.60.020(F), **Ms. Long** stated that the Planning Staff report has a citation to the growth and urbanization policy in the Comprehensive Plan. She said that the partition of the one lot will result in two oversized lots that will not impact the quality of life and character of the neighborhood. She stated there is a housing policy in the Comprehensive Plan that also supports partitioning the applicant's property to allow in-fill and higher density.

Ms. Long submitted for the record written materials that was identified as Exhibit 1.

Commissioner Bailey asked if Exhibit 1 provides the specific citations in the Comprehensive Plan. **Ms. Long** said that it does, noting:

- Growth and Urbanization Policy is cited on page 3 of Exhibit 1.
- Housing Policy is on page C-16 of the Comprehensive Plan.

TESTIMONY IN OPPOSITION

Mark Reagan, 141 Barclay Avenue, Oregon City, OR 97045.

Mr. Reagan described his property as adjacent to the property in question. He said that the reference to 'extraordinary circumstances' in OCMC 17.60.020(C) is open to interpretation as to whether it refers to the 'circumstances' or the 'land'. He challenged Mr. McKnight's claim that he did not receive sufficient warning of the change in the minimum lot depth in time, referring to a statement by Tamara DeRidder that supports his challenge. This letter was copied and distributed to the Commissioners as Exhibit 2. **Mr. Reagan** stated that Charles Leeson had submitted a letter testifying that he has offered repeatedly to purchase the property to be partitioned off. This letter was copied and made available to the Commissioners as Exhibit 3.

Mr. Reagan quoted the previous Planning Commission Chair, Commissioner Hewitt, stating that variances should be very difficult to obtain, otherwise why have City ordinances; but the City Commission, in its approach, seemed to apply what LUBA found to be a very permissive standard. He argued that this gave the appearance that different standards were being applied for different people.

Commissioner Bailey asked if Mr. Reagan found everything about the City Commission's interpretation of (F) was overly permissive. **Mr. Reagan** answered that he found the entire process overly permissive, and noted that LUBA found the City Commission's interpretation permissive.

Linda Lord, 142 Holmes Lane, Oregon City, OR 97045

Ms. Lord began by explaining the origination of Exhibit 2, the statement from Tamara DeRidder. She said that, because Ms. DeRidder was not available to attend the Planning Commission meeting, she met with Ms. DeRidder and discussed what she remembered from the meeting of August 5, 1998, recorded her comments, faxed those comments to Ms. DeRidder for final review, and presented the document, with Ms. DeRidder's corrections.

Ms. Lord presented to the Commissioners a written version of her statement, entered into the record as Exhibit 4. She then reviewed the major points of her testimony.

Page 1 – **Ms. Lord** raised a procedural objection to the way the City may arrive at a decision to grant the applicant's request for a variance. She stated that State law requires that all of the criteria in place at the time the request is initiated must be used to evaluate the request, and that the Oregon Constitution requires that laws must be applied equally. She asserted that the City, not at the Planning Commission or the City Commission, did not assess whether or not the applicant's request for a variance meets OCMC 17.60.020(D), (E), and (F).

Page 2 – **Ms. Lord** discussed the issue of applicant's hardship. Because she cites from the record, she asked that all of the appellate briefs and the audiotape of oral arguments before LUBA be added to the record, as allowed by case law. **Ms. Lord** submitted the statement from Tamara DeRidder as contradiction to the applicant's claim that City Staff had misinformed him.

Pages 3 & 4 – **Ms. Lord** described the recommendations of the City Attorney, Mr. Sullivan, to the City Commission. She also read passages from LUBA's findings questioning the idea that the applicant had suffered a non-monetary hardship as required by (C), and describing Oregon City's interpretation of what constitutes a hardship as the most liberal in the State.

Pages 5 & 6 – **Ms. Lord** presented information from the legislative history of the Ordinance. She also noted, in Section G of the Comprehensive Plan, the encouragement of small lot single family development refers only to dual interest area agreement outside of the boundaries. She said this section encourages only the maintenance of existing density, not increasing density.

Ms. Lord stated that the applicant has had a standing offer from Mr. Leeson, as noted in the letter submitted as Exhibit 3, to purchase the property for which the applicant is asking a variance.

Commissioner Main reminded the Commissioners that his motion at the last meeting of the Planning Commission was to keep the record open until this meeting only with regard to prong 2 of (C) and of (F). **Commissioner Main** asked Ms. Lord her interest in this matter given that her address is not immediate to the property in question. **Ms. Lord** explained that she is a member of the Land Use Subcommittee of Rivercrest Neighborhood Association. She said the Land Use Subcommittee has decided to remain neutral in matters requiring a Type 2 decision. She said her interest arises out of the neighborhood's CC&R's which the City does not enforce, and said that she has notified the applicant of her intent to take him to court if necessary to enforce the CC&R's.

Chairperson Carter asked Ms. Lord who, if not the Planning Commission and the City Commission, would be an "authoritative body" to hear the criteria. **Ms. Lord** replied that she believed the Planning Commission and the City Commission are authoritative bodies,

but that the minutes of their meetings will show that criteria (D), (E), and (F) were never discussed.

Commissioner Bailey asked if LUBA had remanded items (D), (E), and (F). Ms. Lord said that LUBA had remanded only items (C) and (F).

Jim Hall, 1006 Clearbrook Drive, Oregon City, OR, speaking neither for nor against applicant's request.

Mr. Hall testified to a telephone conversation he had with Linda Lord concerning what he considers to be a very obscure section of the ordinance and his knowledge of that section. He said Ms. Lord identified herself as the Chairman of the Land Use Committee of the Rivercrest Neighborhood, which he found later to be not true. **Mr. Hall** said that he investigated further at City Hall where he found the agenda for this meeting. He said, to him, the evening's proceedings have been an attempt to raise as many issues as possible in the hopes that one or more of them will block the applicant's request.

Mr. Hall said that he is familiar with the applicant's property, owning a property approximately one and one-half blocks distant. He stated that the applicant's property is vacant, or undeveloped, land. He said he also looked up Ms. Lord's address, and found that she does not live in the same subdivision of Rivercrest, and therefore does not have privilege of contract with the applicant with respect to the CC&R's.

Finally, **Mr. Hall**, explained that he was a member of the Planning Commission when it considered the ordinance. He said that there was no consideration by the Planning Commission of the 'obscure' portions of the ordinance at that time.

Ms. Lord disagreed with Mr. Hall, stating that she had identified herself as a member of the Land Use Subcommittee, not the chairman. She offered to provide the Commissioners with copies of the deeds to her property and the applicant's property to demonstrate that they are in the same subdivision, and that she does have privilege of contract with the applicant.

Ms. Long, in rebuttal, stated that the record contains uncontested evidence of the nature of the meeting between the applicant and City Staff, and that LUBA said, in its findings, that there is substantial uncontested evidence as to what was said at that meeting. She said nothing in the record indicates that the record does not contain a true and accurate statement of the meeting.

Ms. Long pointed out that the proposed lot is substandard only in lot depth, but is not substandard in square footage. She said the proposed lot will be 10,020 square feet, well within the character and quality of the neighborhood. She said that such a lot that maintains the character of the neighborhood and provides additional single family

housing is what is promoted by the Comprehensive Plan in both the Housing section, page C-16, and the Growth and Urbanization section.

Commissioner Mengelberg asked what is the applicant's response to the letter from Mr. Leeson offering to purchase the property. The applicant, **Mr. McKnight**, said he has never had a written offer from Mr. Leeson, and only limited oral conversations discussing the possibility of a sale. **Ms. Long** said that none of the conversations between Mr. Leeson and Mr. McKnight ever resulted in a price that was mutually agreeable.

Chairperson Carter noted that Exhibit I of the Commissioners' packet is a petition in support of the applicant's request, and it is signed by Mr. Leeson.

CLOSE OF PUBLIC HEARING

DELIBERATION BY COMMISSIONERS

Commissioner Bailey asked if the Commissioners would like to adopt each criterion, item (C) and then item (F), separately. **Mr. Kabeiseman** said the Commissioners can choose to bifurcate the issues, if they wish. **Chairperson Carter** suggested that it would be helpful to discuss the items separately, but vote on them in one motion.

Commissioner Bailey said he was not going to attempt to reconstruct what was said in the applicant's pre-application hearing two years ago, but rather focus his attention on the question of whether or not the applicant had suffered a non-monetary hardship.

Commissioner Bailey said that item (C) allows a great deal of discretion and that he would be pretty liberal in determining the nature of the applicant's hardship.

Commissioner Surratt said that, from her reading of the record, the applicant purchased the property with the intent to subdivide the property and with the understanding that the subdivision is permissible at the time of purchase but that the City's ordinances are subject to change. She said that, if the applicant did not proceed with the subdivision of his property before the Ordinances changed, then the applicant has created the hardship himself by his failure to act more quickly. Thus, she said, she read the requirement of item (C) differently from Commissioner Bailey.

Commissioner Main agreed that the applicant purchased the property with the intent of subdividing it, and that the applicant did fail to proceed before the Ordinance changed. He said there was no challenge, during any of the proceedings up through the hearing at LUBA, to the applicant's claim that he was informed by City Staff that he would be able to proceed with the subdivision without a variance.

Commissioner Orzen said that, after hearing Mr. Hall's testimony, she has a different perspective on item (C). She agreed that the applicant purchased the property with the open and honest intent to subdivide, but stated that the ordinance was changed without

proper notification to him. She said that the applicant conducted himself in such a way that he should receive the variance. She noted that the minimum lot depth, prior to the ordinance change, was 60 feet whereas the applicant's proposed lot will have a depth of 80 feet.

Chairperson Carter cited the language of criteria (C), prong 2, "... a self-imposed difficulty will be found if the applicant knew, or should have known, at the time the site was purchased..." **Chairperson Carter** stated that, when the applicant purchased the property in 1991, the criterion in effect was a minimum width or depth of not less than 60 feet. She said that this clearly establishes that the applicant has met the requirement of item (C).

Chairperson Carter said that the City Municipal Code allows for a variance because unusual circumstances require an exception to the strict application of an ordinance. She said she believed it unfortunate that this matter has taken so long to resolve. She disagreed with calling the proposed lot substandard, given its 10,020 square feet, and pointed out that there are a number of much smaller lots in the same neighborhood. **Chairperson Carter** noted that the CC&R's for the applicant's neighborhood require that the purchaser of any subdivided lot agree to be bound by those CC&R's, and that no residential structure be built on a lot less than 7,500 square feet and not a width of less than 60 feet. She said the applicant's proposed lot meets these requirements.

Commissioner Surratt stated that the CC&R's are not an issue for the Commissioners because the City does not enforce them. **Mr. Kabeiseman** agreed.

Commissioner Mengelberg asked Mr. Kabeiseman how the Commissioners should weigh the different sections of the Comprehensive Plan. **Mr. Kabeiseman** explained that case law gives the Commissioners a great deal of freedom to weigh the different sections of the Comprehensive Plan especially when they come into conflict with each other.

Commissioner Main stated he is confident that criteria (F) has been met by the applicant's request. He said LUBA remanded the matter primarily as a procedural matter.

Commissioner Orzen agreed with Commissioner Main.

Commissioner Bailey agreed in general with Commissioner Main but asked if he had specific policies from the Comprehensive Plan in mind. **Commissioner Main** said he was referring to the items cited by the applicant.

Chairperson Carter said Chapter 17.64, Planned Unit Development, identifies what the Commissioners need to consider. She stated that, had PUD's existed at the time Rivercrest was developed, it would have been a PUD because it meets all of the criteria of a PUD. Thus, she said, this section of the Comprehensive Plan supports the applicant's variance. **Chairperson Carter** noted that the Rivercrest Neighborhood Association has

taken no position concerning the applicant's request. She said that this demonstrates a lack of opposition in the neighborhood to the requested variance.

Commissioner Surratt noted for the record that Exhibit 4, submitted by Ms. Lord, page 8 cites Commissioner Surratt's discussion of item (D).

Commissioner Bailey recommended that the section of the Comprehensive Plan concerning growth and urbanization supports the applicant's request under item (F).

Commissioner Main moved to deny the appeal, 00-03, of the City Commission's approval of the variance, VR 99-07, and to direct the applicant's attorney to develop findings to be presented to the City Attorney for review and presentation to the Planning Commission at date certain September 24, 2001. **Commissioner Orzen** seconded.

Ayes: Bailey, Main, Mengelberg, Orzen, Surratt, Carter; Nays: None.

OPEN OF PUBLIC HEARING

CU 01-02; City of Oregon City; Conditional Use for the creation of a new Amtrak station and parking lot; 1799 Washington Street, Clackamas County Map 2-2E-29, Tax Lot 1402.

STAFF REPORT

Sean Cook reported that the Staff requests a continuance of this matter to date certain September 24, 2001.

Commissioner Bailey asked Nancy Kraushaar the status of the railroad's request to close access to Seventeenth Street. **Ms. Kraushaar** said the City has completed the revised traffic impact study, and the study shows that the impacts to traffic of closing Seventeenth Street are negligible. **Commissioner Mengelberg** asked if the study's findings allowed for the plans to develop around Clackamas Cove and neighboring areas. **Ms. Kraushaar** said it did, and while closing Seventeenth Street is not ideal, the benefits of having an Amtrak station outweigh the disadvantages of closing the street. **Commissioner Surratt** moved to continue CU 01-02 to date certain September 24, 2001. **Commissioner Bailey** seconded.

Ayes: Bailey, Main, Mengelberg, Orzen, Surratt, Carter; Nays: None.

5. OLD BUSINESS

None

6. NEW BUSINESS

A. Staff Communication to the Commission

Mr. Cosgrove reported that Planning Department has hired two new Assistant Planners and has begun recruiting for a Senior Planner.

B. Comments by the Commissioners

Chairperson Carter announced that, at the upcoming session of Toast and Topics scheduled for August 31, 2001, the topics will be the proposed Amtrak station and the new Molalla Avenue Improvement Plan.

7. ADJOURN

All Commissioners agreed to adjourn.

**Linda Carter, Planning Commission
Chairperson**

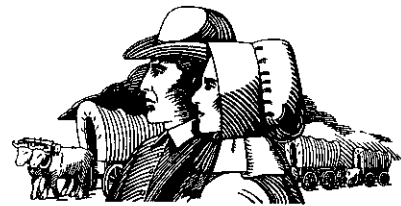
Sean Cook, Assistant Planner

CITY OF OREGON CITY

PLANNING COMMISSION

320 WARNER MILNE ROAD
TEL 657-0891

OREGON CITY, OREGON 97045
FAX 657-7892



STAFF REPORT

Date: September 17, 2001

FILE NO.: CU 01-02

HEARING DATE: September 24, 2001
7:00 p.m., City Hall
320 Warner Milne Road
Oregon City, OR 97045

APPLICANT City of Oregon City

OWNER: Stimson Lumber Company
520 SW Yamhill
Portland, OR 97204

REQUEST: Conditional Use in an M-2 Heavy Industrial Zone to Establish a New Amtrak Station and Parking Lot

LOCATION: 1799 Washington Street
Clackamas County Map 2S-2E-29, Tax Lot 1402

REVIEWER: Maggie Collins, Planning Manager
Dean Norlin, Senior Engineer

RECOMMENDATION: Staff recommends approval of CU 01-02 with Conditions

CRITERIA:

Municipal Code:

Section 17.38 Heavy Industrial District M-2
Section 17.50 Administration and Procedures
Section 17.56 Conditional Uses

BASIC FACTS:

1. Consisting of 2.3 acres on the west side of Washington Street, the subject property includes a portion of Union Pacific (UP) Railroad right-of-way and a revised Parcel 1 of the former Stimson Lumber Mill property. A lot line adjustment reflecting revised Parcel 1 has been approved by the City (LL 01-01). See Exhibit 1. The End of the Oregon Trail

Interpretive Center is located across from the subject property on the east side of Washington Street.

2. The subject property is designated "Industrial" on the Oregon City Comprehensive Plan Map. Its zoning classification is M-2, "Heavy Industrial." There are no existing buildings on-site. The topography is relatively flat. It is set in the floodplain. City utilities are available on Washington Street. There are no natural features or wetlands on the site.
3. Proposed project improvements include a passenger platform of approximately 715 feet long to accommodate Amtrak Talgo trains, with possible future expansion to approximately 1,230 feet to accommodate Amtrak Coast Starlight passenger trains. This platform is proposed to connect to improvements, including a depot building, a shelter, handicap ramps(s), landscaping and waiting areas. Access would be from Washington Street culminating at the depot building. Area is proposed for a bus stop and passenger drop-off.
4. The Conditional Use request is proposed to cover two phases of project improvements: (1) Construction of the 715-foot platform, the access road, a 47 space parking lot and half-street improvements on Washington street; and (2) Relocation of the depot building, and remaining site amenities. (Exhibit 2)
5. Transmittals on the proposal were sent to various City departments, affected agencies, property owners within 300 feet, and the Park Place Neighborhood Association.

The City's Public Works Division, the City Engineering Division, Clackamas County Associate Traffic Engineer, the City Traffic Engineer and the Oregon Department of Transportation (ODOT) submitted comments. Submitted comments are analyzed and incorporated into the analysis and findings section below.

ANALYSIS AND FINDINGS:

I. 17.56 Conditional Uses

1. Criterion (1): The use is listed as a conditional use in the underlying district.

The site is zoned M-2, "Heavy Industrial." "Freighting or railroad terminal and facilities" are allowed as conditional uses in the M-2 District (OCMC 17.38.030), and subject to OCMC 17.56 requirements.

Staff finds that this criterion is satisfied.

2. Criterion (2): The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.

The subject property is adjacent to a working railroad line, is across the street from a tourist destination point (the End of the Trail Interpretive Center), and is just northeast of the Oregon City downtown area. The topography is flat; utilities are available from Washington Street, which fronts the subject property; and the proposed development would not impact neighboring natural features. The proposed development utilizes a vacant site and provides a modal transportation opportunity.

Staff finds that this criterion is satisfied.

3. Criterion (3): The site and proposed development are timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

Utility providers evaluated the proposal. The Engineering Division indicated that the proposal would create any negative impacts on City utilities. No comments were received from the affected property owners and the Park Place Neighborhood Association.

The original study, *South Metro Amtrak Station Study* (HDR Engineering, Inc., 2/10/00), estimated 70 daily on and off trips and estimated the method of travel to and from the proposed station. With this information, the number of daily trips were estimated for the train depot. Operating five trains per day when the station opens and ten trains per day in 2018, one train would arrive during PM peak hours when the station opens, and two trains would arrive during PM peak hour in 2018. It was estimated that arrivals and departures would be evenly split throughout the day, suggesting that one-fifth of the daily trips would be during the PM peak hour.

According to the Traffic Impact Analysis, impacts from the proposed use are minimal, now and in the future. However, additional growth and traffic generation along Washington Street would require mitigation of this use's addition to a declining Level of Service (LOS). Existing level of service (LOS) of the subject site is "C" and would move to "D" without intersection signalization. Staff has indicated that the extent of transportation-related improvements to mitigate this condition will be studied during the Site Plan and Design Review Process. Mitigation mechanisms will generally involve intersection expansions and improvements at both Washington Street and Abernethy Road and at Washington Street and Highway 213. (Exhibit 3)

Staff concludes that adequate services are available to serve the site and that traffic mitigation measures can be imposed by compliance with Condition #2.

4. Criterion (4): The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district.

This criterion addresses compatibility of the proposed use with the surrounding area. The current office use in the depot building will need to relocate when the depot building is moved to the site. The project would enhance the historic theme of the End of the Oregon Trail and historic downtown areas. The proposed use does not impair or preclude primary uses within the M-2 zone on neighboring properties.

Staff finds that this criterion is satisfied.

5. Criterion (5): The proposal satisfies the goals and policies of the city comprehensive plan, which apply to the proposed use.

The present Comprehensive Plan designation for the subject property is "Industrial." The Oregon City Comprehensive Plan contains the following applicable policies:

COMPREHENSIVE PLAN

"Encourage citizen participation in all functions of government and land-use planning."
(Citizen Involvement Policy 4).

The public hearing was advertised and noticed as prescribed by law to be heard by the Planning Commission on September 24, 2001. The public hearing will provide an opportunity for comment and testimony from interested parties.

As funds and opportunities become available, transportation access to industrial and commercial area shall be improved to facilitate flow of goods and increase potential customers. Particular attention will focus on relieving congestion on McLoughlin Boulevard (Highway 99E) and Cascade Highway/Molalla Avenue (Highway 213)."
(Commerce and Industry Policy 1)

Use of an Amtrak station would provide alternative means of transportation both to and from Oregon City, and to and from adjacent commercial areas of the City. In industrial lands, commercial and office uses are prohibited other than those that are clearly accessory uses. The depot building currently is located on industrial land and is used for office space. It is anticipated that this non-conforming use will continue until Phase 2 commences and the depot building becomes accessory to the platform facility.

OREGON CITY DOWNTOWN COMMUNITY PLAN

Adopted in early 2000 by the City Commission, Objectives 1, 2, 3, 4, 5, and 10 of the Downtown Community Plan apply to this application (see page 6 of the Applicant's Narrative).

In summary, the proposed project makes use of an old depot building; provides a regional transportation connection to visitors and residents alike and supports existing historic features such as End of the Oregon Trail and historic features of Downtown Oregon City; has no net impact on potential flooding within the area, thus managing the flooding situation; is identified as a catalyst project for attracting additional tourist options for an area identified for future growth; with transit and pedestrian connections, emphasizes new opportunities for transit users and walkers; and provides an additional way to bring visitors to the City's downtown and historic areas.

Staff finds that this criterion is satisfied in that this proposal satisfies and is consistent with applicable policies of the Oregon City Comprehensive Plan and objectives of the Downtown Community Plan.

ADDITIONAL ISSUES:

Platform Setback Exception. The M-2 Zone requires a 10-foot rear setback. In this case, the need to construct the station platform adjacent to the tracks makes this infeasible. The Assistant City Manager reviewed this issue and made an interpretation (Exhibit 4). City Staff agrees, and recommends that a condition be added to this decision to make this exception clear.

Phasing Proposal. While the applicant wishes to construct the site at one time, restricted funding may not allow this. (Exhibit 5). The conditional use review covers the entire 2.3 acres; thus the applicant should not need to re-apply to for a new conditional use permit if a development phasing process is necessary. There are no specific time periods for an approved conditional use permit; however, Section 17.50.200 applies to approved quasi-judicial permits, stating that a building permit must be obtained within one year of the approval, or the approval becomes null and void. The Planning Commission has the ability to vary the time that a conditional use permit approval is valid. The applicant has requested that the Conditional Use permit be issued for a five-year period. City Staff believes this to be a reasonable time period, given some uncertainty about funding sources.

17th Street Closure. In conjunction with the Abernethy Bridge project and the City's Draft Waterfront Master Plan, much discussion and many assumptions are in force concerning 17th Avenue's future. City Staff requested a secondary review of the City's Traffic Impact Study with the scenario of a closed 17th Avenue (Exhibit 3). In light of this assessment, City Staff has concluded that no additional conditions of approval are necessary to cover a 17th Avenue closure.

CONCLUSION AND RECOMMENDATION:

Based on the analysis and findings presented in this report, staff concludes that the proposed Conditional Use CU 01-02 satisfies the requirements as described in the Oregon City Municipal Code for Conditional Use Permits, Chapter 17.56.

Based on the findings of fact, staff recommends the Planning Commission approve Conditional Use Permit CU 01-02, affecting property identified as Clackamas County Map 2S-2E-29, Tax Lot 1402, subject to the following conditions.

CONDITIONS OF APPROVAL:

1. The ten-foot rear yard setback for CU 01-02 is not applicable.
2. The Applicant shall prepare a traffic mitigation plan to accompany its Site Plan and Design Review process.
3. The Conditional Use Permit hereby approved shall run with both Phases of the subject property.
4. The Conditional Use Permit shall expire September 24, 2006. Renewals shall be based on the procedures set out in Section 17.50.200 of the Oregon City Municipal Code.
5. The Applicant shall comply with all requirements from the City's Site Plan and Design Review (SP 01-03).

EXHIBITS:

1. Record of Survey, LL 01-01
2. Site Plan
3. Trip Distribution Pattern and Review of Traffic Impact Analysis dated 8/8/01
4. Memo to Planning Manager dated 9/6/01
5. Memo on Status, Phasing and Timing for Amtrak Station dated 9/13/01
6. Applicant's Narrative

RECORD OF SURVEY

FOR
THE CITY OF OREGON CITY
OF
PROPOSED PROPERTY LINE ADJUSTMENT

RECEIVED: —
ACCEPTED FOR
SURVEY NUM.

SITUATED IN THE GEORGE ABERNETHY D.L.C. NO. 58, AND THE HIRAM STRAIGHT
D.L.C. NO. 42 AND THE NORTHWEST AND SOUTHWEST ONE-QUARTERS OF SECTION 29
IN TOWNSHIP 2 SOUTH AND RANGE 2 EAST OF THE WILLAMETTE MERIDIAN,
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON

SCALE: 1"=100'

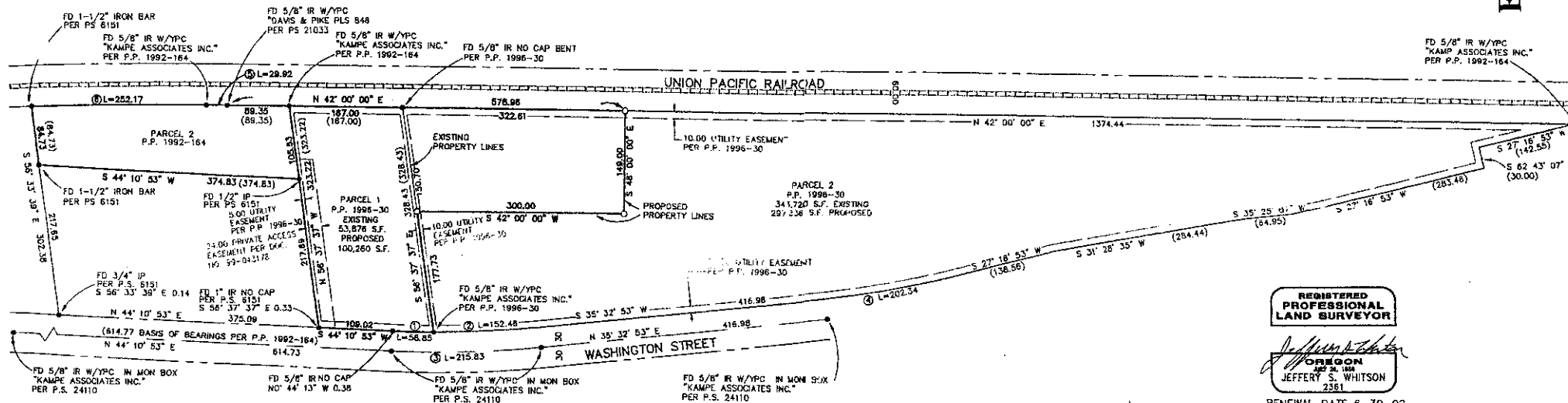
JANUARY 15, 2001



DAVID EVANS
AND ASSOCIATES, INC.
2828 S.W. CORBETT AVENUE
PORTLAND, OR. 97201-4800 (503) 233-6668



EXHIBIT



REGISTERED
PROFESSIONAL
LAND SURVEYOR

JEFFERY S. WHITSON
2381

RENEWAL DATE 6-30-02

CURVE DATA

| | | |
|----------------------|----------------------|----------------------|
| ① Δ = 2° 24' 16" | ② Δ = 6° 13' 44" | ③ Δ = 5° 35' 00" |
| R = 1402.39 | R = 1402.39 | R = 1432.39 |
| L = 58.85 | L = 152.48 | L = 215.83 |
| LC = S 42° 58' 45" W | LC = S 30° 35' 45" W | LC = S 39° 34' 55" W |
| 58.85 | 152.38 | 215.63 |
| ④ Δ = 8° 16' 00" | ⑤ Δ = 0° 09' 00" | ⑥ Δ = 2° 32' 06" |
| R = 1402.39 | R = 11429.16 | R = 5699.50 |
| L = 202.34 | L = 29.82 | L = 252.17 |
| LC = N 31° 24' 53" E | LC = N 41° 55' 30" E | LC = S 40° 34' 55" W |
| 202.16 | 29.82 | 252.15 |

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO REESTABLISH THE PROPERTY LINES OF PARCEL 2 OF PARTITION PLAT 1992-164 AND TO ADJUST THE PROPERTY LINE BETWEEN PARCEL 1 AND PARCEL 2 OF PARTITION PLAT 1996-30. THE BEARINGS ARE BASED ON THE CENTERLINE OF WASHINGTON STREET PER PARTITION PLAT 1992-164 AS SHOWN. THE BOUNDARY LINES OF PARTITION PLATS 1992-164 AND 1996-30 WERE REESTABLISHED BY HOLDING THE MONUMENTS SET OR FOUND AND RECORD DATA PER SAID PARTITION PLATS AS SHOWN. THE NEW ADJUSTED LINE WAS ESTABLISHED PARALLEL WITH AND PERPENDICULAR TO THE SOUTHERN PACIFIC RAILROAD SOUTHEASTERLY RIGHT-OF-WAY LINE.

LEGEND:

- FOUND MONUMENT AS NOTED
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "DEA INC."
- IR IRON ROD
- IP IRON PIPE
- FD FOUND
- S.F. SQUARE FEET
- P.P. PARTITION PLAT
- () RECORD DATA PER PARTITION PLATS 1992-164 AND 1996-30.
- W/YPC WITH YELLOW PLASTIC CAP
- Ⓢ CURVE DATA AS NOTED

REFERENCE TABLE:

PARTITION PLAT 1992-164
PARTITION PLAT 1996-30
P.S. 24110
P.S. 22174
P.S. 21033
P.S. 6151



17
SECTION: Bk
RAW: CAG
INDEXED: KET

| | |
|---------------------------------------|------|
| REVISION D, ROW PLAN SUBMITTAL 8/1/01 | BOOK |
| REVISION PHASING AREA | ORN |
| | |
| | |



OREGON CITY, OREGON



North
Not To Scale

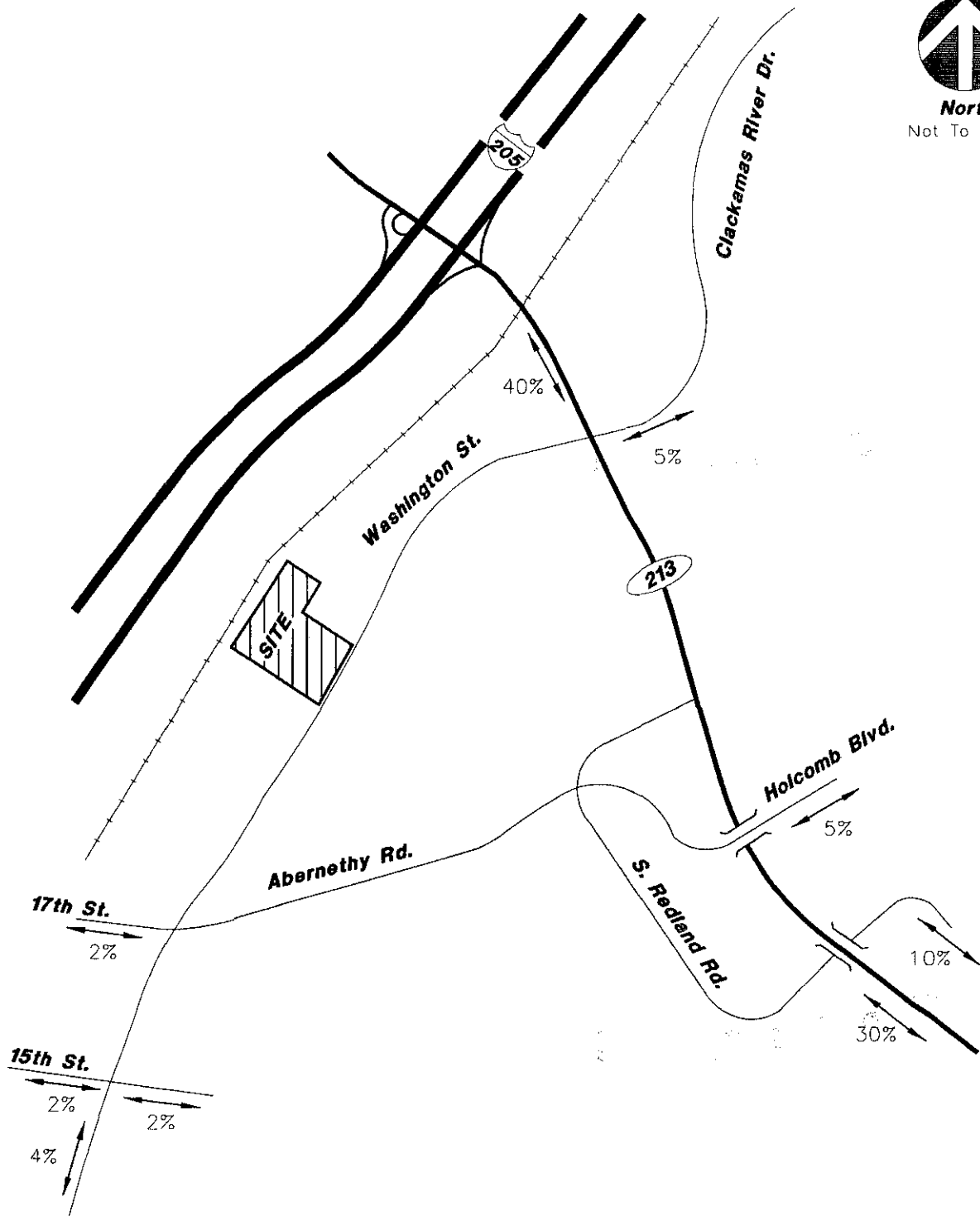
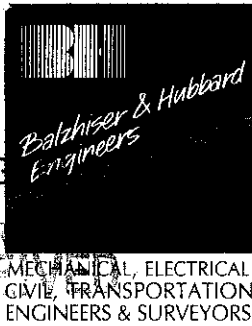


EXHIBIT 3

Oregon City Traffic Study
Trip Distribution Pattern
FIGURE 4



August 8, 2001



Maggie Collins
Planning Department
City of Oregon City
PO Box 351
Oregon City, Oregon 97045

Re: Review of Traffic Impact Analysis
Washington Street Amtrak Station - CU 01-02/ SP 01-03/ WR 01-04

Dear Ms. Collins:

In response to your request, Balzhiser & Hubbard Engineers has reviewed the August 2001 Traffic Impact Analysis (TIA) prepared by David Evans and Associates, Inc. for the proposed Amtrak station located on the west side of Washington Street across from the End of the Oregon Trail Center. This TIA replaces in whole a previous analysis dated January 2001 which was reviewed in April. This analysis has some differing future year assumptions, primarily the closure of 17th Street at the Union Pacific Railroad crossing, and addresses the identified inconsistencies contained in the previous TIA. The following comments are based on review of the current TIA.

The proposed development consists of a relocated historic depot building, a passenger platform, ticket shelter, and parking area. The TIA evaluates intersection levels of service for the current year (2001) and two future planning years (2004 and 2021) for scenarios with and without the proposed development. The TIA identifies existing intersection geometries and forms of traffic control for the study intersections. These are depicted in Figure 2. It is noted the construction of a southbound through lane on Highway 213 is a required condition of approval for the Home Depot development which is currently under construction. Because the additional lane is a required condition, it has been correctly included as an "existing condition" in this analysis. The projected Home Depot generated traffic volumes are also included as an existing condition.

Future traffic forecasts were made using growth projections contained in the Oregon City TSP and METRO's emme/2 model. The TIA notes the differences between growth projections and provides a reasonable basis upon which the forecasts are made. The growth projections assumed in the TIA are not as conservative as stated; however, recognizing the overall projected future year PM peak hour operating conditions of the transportation system are poor, it is not significant.

The TIA concludes sight distance requirements are met for the proposed development driveway on Washington Street. It is not clearly identified how sight distance was measured nor the value of the measured distance. Because the proposed access is located on a relatively straight roadway section free of obstructions, I assume stopping sight distance is adequate and agree with the applicant's conclusion.

The TIA identifies closing the 17th Street crossing of the UPRR line. Based on this proposed closure, reassignment of traffic volumes was performed by post-processing modeled data. This method also employs the use professional judgement and local knowledge which generally results in more accurate data. Overall, the assignment assumptions presented in the TIA are acceptable.

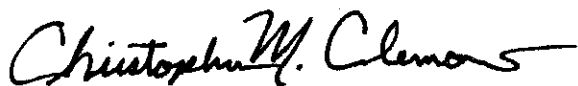
Principals ■ Keith A. Hubbard, P.E. ■ David E. Bomar, P.E. ■ James P. Krumsick, P.E. ■ Monica B. Anderson, P.E. ■ C. Mark Penrod, P.E.
Senior Associates ■ William H. Prentiss ■ Stanford T. Hayden
Associates ■ Burney J. Moore ■ David W. Knighton, P.E. ■ Timothy S. Ely, P.E.

I agree with applicant's conclusion that the Amtrak train station will not have a significant impact on the adjacent transportation system. If the Highway 213/Washington Street and Abernethy Road/Washington Street intersections are improved as identified, sufficient transportation system capacity exists through 2001.

As identified in the TIA, all existing intersections in the study area operate at unacceptable levels of service in 2021. The City should give serious consideration to the future operation of the transportation system in the study area and the impacts of development.

In conclusion, I find the applicant's TIA meets the City's requirements. If you have any questions or need further information concerning this review, please call me at 541-686-8478.

Sincerely,

A handwritten signature in black ink, reading "Christopher M. Clemow". The signature is fluid and cursive, with a long horizontal stroke at the end.

Christopher M. Clemow, PE
Transportation Engineer

Memorandum

To: Maggie Collins, Planning Manager
CC: City Manager, City Engineer, file
From: Bryan Cosgrove, Asst. City Manager
Date: 9/6/01
Re: Amtrak Station Conditional Use Permit Application

This memo addresses the issue of whether the underlying zoning requirements of the Oregon City Municipal Code (OCMC) would permit construction of the depot building platform between the building itself and the west property line.

The M-2 district has a required 10-foot rear yard setback. (OCMC 17.38.0404.C.4) Yards are to be unoccupied by structures other than projections from buildings allowed by the code (OCMC 17.04.730). Uncovered balconies, decks, or fire escapes more than thirty inches from the ground may project up to five feet into the yard or setback (OCMC 17.54.020).

Plan sheet C3.0 shows the platform extending to the property line, within the setback. The platform on which the Amtrak Station building will sit would be constructed on pilings or footings and be approximately six feet above the grade of the railroad platform. The proposed grade elevation is necessary due to floodplain requirements.

The main issue is whether the platform is subject to the restrictions in OCMC 17.04.730 and 17.54.020. After reviewing the provisions of Title 17 with respect to yards, setbacks, and railway stations as conditional uses in the M-2 district, it is clear to me that Title 17 does not address, and did not anticipate, the site design requirements associated with train stations. Indeed, the code is silent on railroad stations as a special use. The platform that surrounds the station building is part of the pedestrian circulation associated with the station's function, providing access between the building and the loading platform immediately adjacent on the Union Pacific property. It should not be interpreted as a deck with respect to projection into the setback only on the basis of its elevation above 30 inches from grade. First, the platform does not serve the function of a deck as a place of recreation or viewing and, second, the elevation is necessary in response to the floodplain requirements. In the same way that pedestrian accessways are permitted outright to cross setbacks to provide access between buildings and the public right-of-way, the platform is necessary to provide safe and protected pedestrian access between the station and the loading platform.

Therefore, it is my determination that approval of the project as proposed would not result in prohibited projections into the minimum setback.



DAVID EVANS
AND ASSOCIATES INC.

September 13, 2001

Oregon City Planning Commission
c/o Maggie Collins, Planning Manager
City of Oregon City
Planning Department
320 Warner Milne Road
Oregon City, OR 97045

**SUBJECT: STATUS, PHASING, AND TIMING FOR AMTRAK STATION –
WASHINGTON STREET, OREGON CITY**

Dear Planning Commission:

On behalf of the City of Oregon City's Public Works Department, the following summarizes the current status of the Amtrak Station, requested phasing options, and anticipated construction timing.

STATUS, PHASING, AND TIMING

We originally requested concurrent review of the three planning permits for the Amtrak Station. Maggie Collins clarified that the Conditional Use Permit (CUP) would be approved at a public hearing (Type 3) but the Design Review and Water Quality Resource Map Amendment would be reviewed separately under a Type 2 review. I was assured that this would not slow down the processing of these permits. The processing of the permit requests has been postponed due to the City's evaluation of the closure of 17th Avenue.

Under a separate timeframe, we filed a lot line adjustment application in January that has now been reviewed and preliminarily approved by the City. We will file the record of survey for this lot line adjustment when we receive final clearance from City staff. The title company (or attorney) for the City will also need to draw up the appropriate deeds. We should receive the go ahead from the City within a few days.

The following summarizes two funding-dependent alternatives for the phasing of the Amtrak project. This letter formally requests that the Planning Commission approve the CUP with the optional phasing alternatives described below. I have attached a copy of the revised Phasing plan that reflects Alternative Two.

| Alternative | Phasing | Description | Timeline |
|-------------|---|--|---|
| One | Project will be built in one phase, dependent on additional funds being identified. | All improvements will be built at one time. | Construction Expected Summer of 2002 |
| Two | Project will be built in two to three phases, if no additional funding is found. Phase 1 construction funds equal \$600,000 to \$750,000. | <i>Phase 1a</i> will involve the construction of the entry drive (with four parking spaces) and cul-de-sac bulb, entry sidewalks, one handicap ramp, one handicap parking space, three additional parking spaces, the passenger shelter and the train platform. Washington Street improvements are included in this phase. | Construction Expected for Phase 1 – Summer 2002 Phases 1b and 2 – Prior to Summer 2005 |

Twenty five years

EXHIBIT 5



| | | | |
|--|--|---|--|
| | | <i>Phase 1b</i> will finish the parking lot to result in 46 total parking spaces and two handicap parking spaces including those mentioned in <i>Phase 1a</i> . This phase will also build the heritage garden. <i>Phase 2</i> will include the depot, depot decking, and connecting staircases, plantings, and handicap ramp. | |
|--|--|---|--|

Originally, the project timeline anticipated that the platform could be open by as early as November of this year. The analysis of the closure of 17th Avenue by the City came about as a result of UPRR not providing the necessary platform easements for the project. In other words, if 17th was not committed to being closed, no easement would be forthcoming. The review of this situation has delayed the project up to a point. We updated our traffic analysis to reflect the future closing of 17th and supplied copies of the update to staff on August 1, 2001. We anticipate that the project will be conditionally approved based on obtaining the necessary easement from UPRR.

NEXT STEP

At this point, we are being told by planning that the CUP hearing will take place Monday, September 24th. As the planning staff will process the Design Review and Water Quality Resource Map Amendment reviews under a Type 2 review, we request that these permits be publicly noticed and processed as soon as possible to keep this project moving forward.

This letter should clarify the alternatives for phasing that are funding-dependent. I am looking forward to seeing this project built and in full use.

Respectfully,

DAVID EVANS AND ASSOCIATES, INC.

Chris Cocker
Senior Planning Consultant

Enclosure: 11" X 17" Phasing Map

c: Nancy Kraushaar, P.E.
Maggie Collins, A.I.C.P.
~~Stan Cook~~
Steve Metz, P.E.



Oregon City Amtrak Station Conditional Use Permit Narrative

Prepared for:
City of Oregon City
Engineering Department
320 Warner Milne Road
Oregon City, Oregon 97045

Prepared by:
David Evans and Associates, Inc.
2828 SW Corbett Avenue
Portland, Oregon 97201

February 2, 2001

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APPENDICES

- Appendix A: Pre-Application Conference Summary
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- Sheet 1 – Title Page
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COMPREHENSIVE PLAN AND ZONING CRITERIA

17.50.080 Complete application--Required information.

Unless stated elsewhere in city code Titles 16 or 17, a complete application includes all the materials listed in this subsection. The planning manager may waive the submission of any of these materials if not deemed to be applicable to the specific review sought. Likewise, within thirty days of when the application is first submitted, the planning manager may require additional information, beyond that listed in this subsection or elsewhere in Titles 16 or 17, such as a traffic study or other report prepared by an appropriate expert. In any event, the applicant is responsible for the completeness and accuracy of the application and all of the supporting documentation, and the city will not deem the application complete until all information required by the planning manager is submitted. At a minimum, the applicant must submit the following:

A. One copy of a completed city application form that includes the following information:

- 1. An accurate legal description, tax account number(s), map and location of all properties that are the subject of the application,*

Response: See the attached land use application form and title reports and site plan.

- 2. Name, address, telephone number and authorization signature of all record property owners or contract owners, and the name, address and telephone number of the applicant, if different from the property owner(s);*

Response: See attached Land Use Application form.

B. A complete list of the permit approvals sought by the applicant;

Response: This application is for a conditional use permit.

C. A current preliminary title report for the subject property(ies);

Response: See the attached title reports. (Appendix C)

D. A complete and detailed narrative description of the proposed development that describes existing site conditions, existing buildings, public facilities and services, presence of wetlands, steep slopes and other natural features, a discussion of the approval criteria for all permits required for approval of the development proposal that explains how the criteria are or can be met, and any other information indicated by staff at the preapplication conference as being required;

Response: The existing site includes a portion of the Union Pacific (UP) Rail Road right-of-way and a revised Parcel 1 of the former Stimson Lumber Mill Property. A lot line adjustment reflecting the revised Parcel 1 has been submitted to the city for approval. The parcel consists of the old Parcel 1 and a portion of Parcel 2 of the former Stimson Lumber Mill property. (See the Existing Conditions Plan.) The site is 2.3 acres located on the west side of Washington Street across from the End of the Oregon Trail Center.

There are no existing buildings on the site. The site topography is relatively flat. The project will connect with city utilities and comply with applicable requirements. There are no natural features or wetlands on the site (see attached Water Resources Report). The project involves moving the old Train Depot building located at 1709 Washington Street to the site. Project improvements include a passenger platform of approximately 715 feet in length to accommodate the Amtrak Talgo trains, with possible future expansion to approximately 1,230 feet to

accommodate the Amtrak Coast Starlight passenger train. The platform will connect to improvements surrounding the Depot building including a shelter, handicap ramp(s), landscaping, and waiting areas.

An entry road will provide access from Washington Street culminating at the depot building. The private entry road includes a bus stop and passenger drop-off area. The project is anticipated in two phases. The first will include building the 715 foot platform, the access road, the 47 (including two handicap) space parking lot and the half-street improvements on Washington Street. The first phase will also include the on and off-site sidewalks, the stairwell and handicap ramp to the platform, and the ticket shelter on the platform. The depot building will be relocated to the site in the second phase.

The site will be developed with amenities that will help create a pedestrian-friendly location for train users. An area surrounding the depot will be developed for pedestrian passage, waiting benches and an area that may contain tables associated with future coffee/beverage type service. Both Phase 1 and Phase 2 are designed to provide handicap connections between the street level, train platform and depot building. A walkway will provide good pedestrian access to Washington Street promoting connection to the End of Trail Center and the historic downtown areas.

E. The identity and contact person for the affected city-recognized neighborhood association(s);

Response: The contact person for the Park Place neighborhood association is Julie Puderbaugh.

F. Up to twenty-one copies of all reports, plans, site plans and other documents required by the section of this code corresponding to the specific approval(s) sought;

Response: Twenty-one copies of each of the application documents are attached.

G. At least one copy of the site plan and all related drawings shall be in a readable/legible eight and one-half by eleven inch format for inclusion into the city's bound record of the application;

Response: An eight and one-half by eleven-inch copy of the site plan is attached.

H. Mailing labels for notice to all parties entitled under Section 17.50.090 to receive mailed notice of the application. The applicant shall use the names and addresses of property owners within the notice area indicated on the most recent property tax rolls;

Response: The attached list of property owners was prepared using the most recent tax rolls.

I. All required application fees.

Response: The required application fees will be paid by the City of Oregon City Urban Renewal Agency.

17.50.090 Public Notices.

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

A. Notice of Type II Applications. Once the planning manager has deemed a Type II application complete, the city shall prepare and send notice of the application, by first class mail, to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. Pursuant to Section 17.50.080(H), the applicant is responsible for providing an accurate and

complete set of mailing labels for these property owners and for posting the subject property with the city-prepared notice in accordance with Section 17.50.100. The city's Type II notice shall include the following information:

1. Street address or other easily understood location of the subject property and city-assigned planning file number;
2. A description of the applicant's proposal, along with citations of the approval criteria that the city will use to evaluate the proposal;
3. A statement that any interested party may submit to the city written comments on the application during a fourteen-day comment period prior to the city's deciding the application, along with instructions on where to send the comments and the deadline of the fourteen-day comment period;
4. A statement that any issue which is intended to provide a basis for an appeal must be raised in writing during the fourteen-day comment period with sufficient specificity to enable the city to respond to the issue;
5. A statement that the application and all supporting materials may be inspected, and copied at cost, at City Hall during normal business hours;
6. The name and telephone number of the planning staff person assigned to the application or is otherwise available to answer questions about the application.

Response: See the attached copy of letter.

B. Notice of Public Hearing on a Type III or IV Quasi-Judicial Application. Notice for all public hearings concerning a quasi-judicial application shall conform to the requirements of this subsection. At least twenty days prior to the hearing, the city shall prepare and send, by first class mail, notice of the hearing to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. The city shall also publish the notice in a newspaper of general circulation within the city at least twenty days prior to the hearing. Pursuant to Section 17.50.080(H), the applicant is responsible for providing an accurate and complete set of mailing labels for these property owners and for posting the subject property with the city-prepared notice in accordance with Section 17.50.100. Notice of the application hearing shall include the following information:

1. The time, date and location of the public hearing;
2. Street address or other easily understood location of the subject property and city-assigned planning file number;
3. A description of the applicant's proposal, along with a list of citations of the approval criteria that the city will use to evaluate the proposal;
4. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing and that a staff report will be prepared and made available to the public at least seven days prior to the hearing;
5. A statement that any issue which is intended to provide a basis for an appeal to the city commission must be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the city and all parties to respond to the issue;
6. A statement that the application and all supporting materials and evidence submitted in support of the application may be inspected at no charge and that copies may be obtained at reasonable cost at City Hall during normal business hours; and
7. The name and telephone number of the planning staff person responsible for the application or is otherwise available to answer questions about the application.

Response: Mailing labels meeting these requirements have been provided with this application.

17.56.010 Permit – Authorization – Standards - Conditions.

A conditional use listed in this title may be permitted, enlarged or altered upon authorization of the planning commission in accordance with the standards and procedures of this title. A conditional use permit listed in this section may be permitted, enlarged or altered upon authorization of the planning commission in accordance with the standards and procedures of this section. Any expansion to, alteration of, or accessory use to a conditional use shall require planning commission approval of a modification to the original conditional use permit.

A. The following conditional uses, because of their public convenience and necessity and their effect upon the neighborhood shall be permitted only upon the approval of the planning commission after due notice and public hearing, according to procedure as provided in Chapter 17.50.

The planning commission may allow a conditional use, provided that the applicant provides evidence substantiating that all the requirements of this title relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

1. The use is listed as a conditional use in the underlying district;

Response: The property is currently zoned M-2 (Heavy Industrial), a zone that permits "Freighting or railroad terminal and facilities" as a conditional use.

2. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;

Response: The site characteristics are suitable for the proposed use given that the location is on the UP Rail Road, is across the street from a tourist destination (the End of the Oregon Trail Center) and is just north of the Oregon City downtown area. The property is owned by the City of Oregon City, is fairly flat in terrain, has available city utilities in Washington Street and will not impact neighboring natural features.

3. The site and proposed development are timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use;

Response: The proposed use would coincide with the road, pedestrian and bicycle improvements that will be made for the Abernethy Bridge, an improvement project that is located between the site and the historic downtown area. The project would provide an alternative made of ingress and egress to and from Oregon City. Clackamas County, ODOT, and Amtrak support the construction of this station at this time.

4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;

Response: Neither the existing light industrial nor office uses on the surrounding properties will be impaired by the proposed use of this property. The current office use in the old depot building will need to relocate as a result of this project. The project will enhance the historic theme of the End of Trail and historic downtown areas. The use will not impair or preclude the primary uses within the M-2 zone on the neighboring properties.

5. The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use.

Response: The current comprehensive plan designation for this property is Industrial (I). The proposed Amtrak Station supports the Comprehensive Plan's Commerce and Industry Policy number 1. This policy states, "1. As funds and opportunities become available, transportation access to industrial and commercial areas shall be improved to facilitate flow of goods and increase potential customers. Particular attention will focus on relieving congestion on McLoughlin Boulevard (Highway 99E) and Cascade Highway/Mollalla Avenue (Highway 213)." Use of the station will provide alternative means of transportation both to and from Oregon City. Customer access

to both the industrial and commercial areas in town will be improved by the project. In industrial lands, the comprehensive plan prohibits commercial and office uses other than those that are clearly accessory uses. The depot building currently is located on industrial land and is used for office use. It is anticipated that this non-conforming use may continue until Phase 2 commences.

B. Permits for conditional uses shall stipulate restrictions or conditions which may include, but are not limited to, a definite time limit to meet such conditions, provisions for a front, side or rear yard greater than the minimum dimensional standards of the zoning ordinance, suitable landscaping, off-street parking, and any other reasonable restriction, condition or safeguard that would uphold the spirit and intent of the zoning ordinance, and mitigate adverse effect upon the neighborhood properties by reason of the use, extension, construction or alteration allowed as set forth in the findings of the planning commission.

Response: This permit request includes Phase 1 to be developed under the standard conditional use permit approval time frame. It is requested that the second phase conditions apply for up to five years before the opportunity to build this phase expires. The project requires that the depot building be in close proximity to the existing rail line, and therefore be set back beyond the 20 foot maximum front lot line distance. The landscape and off-street parking design shall meet the requirements of the Oregon City zoning ordinance.

C. Any conditional use shall meet the dimensional standards of the zone in which it is to be located pursuant to subsection B of this section unless otherwise indicated, as well as the minimum conditions listed below.

Response: See subsection B above. With the exception of the front yard setback mentioned in the response above, all dimensional standards will be met. More detail will be provided in the design review application.

D. In the case of a use existing prior to the effective date of the ordinance codified in this title and classified in this title as a conditional use, any change of use expansion of lot area or expansion of structure shall conform with the requirements for conditional use.

Response: Not applicable.

E. The planning commission may specifically permit, upon approval of a conditional use, further expansion to a specified maximum designated by the planning commission without the need to return for additional review.

Response: This application requests the needed setback to support the placement of the depot building adjacent to the rail line and proposed platform and pedestrian areas.

17.56.030 Uses requiring conditional use permit.

Response: The proposed use is listed as a conditional use in the M-2 (Heavy Industrial) zone. (Section 17.28.030)

17.56.040 Criteria and standards for conditional uses.

In addition to the standards listed herein in Section 17.56.010, which are to be considered in the approval of all conditional uses and the standards of the zone in which the conditional use is located, the following additional standards shall be applicable:

A. Building Openings. The city may limit or prohibit building openings within fifty feet of residential property in a residential zone if the openings will cause glare, excessive noise or excessive traffic which would adversely affect adjacent residential property as set forth in the findings of the planning commission.

Response: Not applicable—the proposed building will not be within 50 feet of a residential property.

B. Additional Street Right-of-Way. The dedication of additional right-of-way may be required where the city plan indicates need for increased width and where the street is inadequate for its use; or where the nature of the proposed development warrants increased street width.

Response: No additional right-of-way dedication is anticipated, however, dedication would occur, if required.

OREGON CITY DOWNTOWN COMMUNITY PLAN (CURRENTLY BEING ADOPTED)

Part I – “A Plan to Enhance the Historical Heart of Oregon City”

Objective 1: Save the Past

Response: The project will make use of the old depot building thus supporting this goal.

Objective 2: Build Upon Existing Assets

Response: The project will support the use of the existing End of Oregon Trail Center and the historic downtown. In addition to attracting visitors, this multi-modal project will support both the residents and the workers in Oregon City by providing a regional transportation connection.

Objective 3: Manage Flooding

Response: The project will have no net impact on potential flooding within the area. The preliminary estimate indicates that the project will remove (cut) 12,000 cubic yards of dirt and will use (fill) 12,000 cubic yards.

Objective 4: Identify Catalyst Projects

Response: This project will help the End of Trail area development by providing an option to travelers coming to an area planned for growth.

Objective 5: Emphasize Pedestrian and Transit Services

Response: The train station supports transit use and pedestrian connection to the End of the Trail and historic downtown areas via Washington Street. The project includes construction of a Tri-Met bus stop in front of the depot building. The Oregon Trolley that serves downtown and the End of the Trail area will be able to connect with the Amtrak station.

Objective 10: Restore a Vibrant, Unique and Attractive City Center

Response: This project supports the use of the downtown area and will provide additional capacity to bring visitors to the City Center.

Other Evaluation Factors

Minimize traffic problems in the Downtown and McLoughlin Neighborhood

Response: Overall, the train service is expected to reduce the numbers of vehicles in the downtown and the End of the Oregon Trail area by offering a transportation alternative to visitors of the Oregon City area. Some traffic is expected due to Oregon City travelers parking and leaving the area at the Oregon City Amtrak Station.

Parking strategies are provided to ensure adequate parking

Response: This project will alleviate the need for parking vehicles for those visitors travelling by train to Oregon City. Parking for those travelling from Oregon City on Amtrak will be provided including 47 parking lot spaces and 4 entry road spaces. The buildout year for the project is 2021, when ten trains will be serving the station per day. The traffic impact analysis (see report under separate cover) determined that the project will generate 36 PM peak hour trips in 2001 and 63 PM peak hour trips in 2021. Therefore the 47 parking spaces are adequate for the project.

***Proposed Plan District – Mixed Use Commercial (MUC)
Proposed Zoning – Tourist Commercial (TC)***

This mixed-use area supports commercial and office uses for the End of the Trail area along with supplying some office space. New construction in the End of Trail District will be guided by the End of the Trail Master Plan.

Response: The 1990 Master Plan, mentions locating an Amtrak Station in close proximity to the Interpretive Center. The plan indicates that the station image “would be representative of original, historic railway stations of this period in Oregon City.” The city plan to use the former Oregon City Depot Building will certainly support this historic theme. The station will include features (street furniture and lighting) that support the historic emphasis and are compatible with the End of the National Historic Oregon Trail Design Guidelines.

Proposed Transportation Improvements: Washington Street pedestrian, bicycle and transit improvements

The Transportation Plan

“As development and redevelopment occur to implement the Downtown Community Plan, key transportation improvements can be made that will ensure adequate mobility and accessibility are maintained.”

These key improvements include: ...

- *creating new linkages that improve local circulation in the landfill area: ...*
- *creating Main Street and Washington Street as primary pedestrian corridors; ...*
- *enhancing local transit service to the study area and other parts of Oregon City ...*

“These transportation system improvements work in concert with other planned improvements in the Oregon City area and provide balanced opportunities of travel across multiple modes.”

Response: An alternative transportation mode such as a new rail connection certainly creates a new linkage that improves local circulation in the Rossman’s Landfill area. Pedestrian connection from the station to Washington Street and will connect to a sidewalk at the property frontage on Washington and the End of the Trail Interpretive Center. Half-street improvements including a sidewalk are proposed in the area of the station improvements. The proposed improvements will support the Tri-Met buses coming into the property for passenger pick-up and drop-off.

Bicycle System

"On-street striped bike lanes on the Washington Street corridor is the only bicycle improvement identified as necessary to support the (bicycle) plan concept."

Response: Improvements to Washington Street in the area of the proposed project will include half-street improvements and a bicycle lane as required by the bicycle plan.

Mode Split Results

"Densities and intensities of use projected to occur under the Downtown Community Plan, through the 20-year demand model horizon, effect a measurable change in non-auto mode share. Present density and activity levels in the Oregon City area result in a combined (transit/pedestrian/bicycle) mode share of approximately seven percent, for all trips. It was assumed that through implementation of the plan, the combined non-auto mode share for all trips would increase to approximately 15 percent."

The plan goes on to the state that "mixed-use concepts that are inherent to the Downtown Community Plan, create the opportunity for trip linkages that are more favorable to non-auto modes (particularly pedestrian and bicycle) and more attractive."

Response: The implementation of this project will support the increase in non-auto mode share and will contribute to the combined (transit/pedestrian/bicycle) mode share goals outlined in the Downtown Community Plan.

Parking

The Downtown Community Plan addresses the need for adequate parking supply.

Subarea 7 contains the Tourist Commercial District and the existing Rossman's Landfill that are anticipated to have large areas of new development. The area offers "the opportunity to provide large-scale, public, structured parking supply to service deficiencies in the downtown core." The plan anticipates that public parking structures will be constructed to support the downtown core via the downtown trolley alleviating shortfall parking in Subarea 1 (Historic Downtown) and Subarea 5 (McLoughlin Mixed-Use/Conditional Residential/Limited Office Conditional).

Response: The proposed train station use will help decrease parking demand in Subareas 1, 5 and 7.

Comprehensive Plan

Plan Designation – Mixed Use Commercial

Zone – Tourist Commercial

Geographic Area – End of Trail

The site is located in the Rossman's Landfill area. It is identified as a Future Study Area in the Downtown Community Plan and no changes in comprehensive plan or zoning designations are recommended at this time.

Response: The project will support both existing and future development within the Rossman's Landfill area. The Oregon City Comprehensive Plan amended its commerce and industry element to add locational policies for Tourist Commercial in July, 1990. This action was applied to the Tourist Commercial District, supporting the transportation and service needs of the End of the Oregon Trail tourist-area related uses.

Part II – Technical Appendix

Project Objectives (see previous discussion above)

Downtown Community Plan Policies

1. *Allow and promote compact development to encourage efficient use of land, promote non-auto trips, and protect air quality;*
2. *Transition to more intensive use of land with infill and redevelopment, relaxed requirements for off-street parking, and phased infrastructure and urban design improvements;*
3. *Create specific policies and implementing zones to reflect the unique character of different districts such as the Historic Downtown, North Downtown and the Clackamette Cove;*
4. *Incorporate design standards and guidelines that reflect the unique historic character of Oregon City and promote an urban character; and*
5. *Improve circulation and connections for all modes of transportation.*

Response: The Amtrak Station will provide an alternative to the area's automobile trips. The location of the station in the designated Tourist Commercial area will promote use in the immediate areas surrounding the station including the Historic Downtown area. The project promotes the historic character of Oregon City by reusing a building that was originally built for use as a train depot. Currently, the building is being leased as office space. Development of this project provides a new transportation connection for Oregon City and will improve both pedestrian and auto service in the area.

General Policies

4. *Design/site plan review shall be required for all new development within the Downtown Community Plan boundary.*

Response: Design Review is requested concurrently with the Conditional Use Permit (under separate cover from this document).

5. *A consistent design for streetscape improvements with the public right-of-way shall be established to link the Historic Downtown Core, North Downtown and the 7th Street Corridor. The guidelines in the Downtown Oregon City Building Improvement Handbook (1980) shall be used as interim guidelines for streetscape improvements such as sidewalks, street furniture (benches, drinking fountains, trash cans), and street lighting.*

Response: Not applicable - the project will be located in the End of Trail area. However, proposed streetscape improvements are consistent with those used in recent redevelopment projects located in the Historic Downtown Core, North Downtown, and 7th Street Corridor.

6. *Zoning districts that implement the new Mixed Use plan designation shall include the following: ...*
 - d. *A transportation system that improves circulation and connections for all modes of transportation: ...*

Response: The rail system adds another mode of transportation and connection to the transportation system of Oregon City. The project includes construction of a Tri-Met bus stop in front of the depot. The Oregon Trolley will be able to serve the train station. Pedestrian connections will be provided as well.

7. *Transportation improvements identified in the Downtown Community Plan shall be prioritized and implemented on a phased basis to maintain local and regional accessibility and provide a connected network for all transportation modes. A full range of funding options shall be pursued, including grants, cooperative*

funding with transportation agencies, urban renewal funding, local improvement district funding, system development charges and developer financed improvements.

Response: This project is being developed with Urban Renewal Funds as the initial source of funding. The City of Oregon City is actively in search of additional funds to expand this project, as one expected federal funding source did not materialize during the 200 legislative session.

Specific Policies – McLoughlin Corridor (Mixed Use Commercial District)

Land Use

4. *Tourist commercial zoning will be applied to implement the End of the Oregon Trail Master Plan. High density tourist commercial and/or office development will be encouraged across from the Oregon Trail Interpretive Center and near the planned high speed rail station.*

Response: This project is the planned high-speed rail station that will eventually support high-speed rail. The area along Washington Street on the north side of the station could be developed with office or commercial development.

Urban Design

1. *Design/site plan review shall be required for all new development in the Mixed Use Commercial District.*

Response: Design review approval is being applied for concurrently.

4. *Design review for new development in the Tourist Commercial District shall be reviewed for consistency with the design guidelines contained in the End of the Oregon Trail Master Plan.*

Response: [Same as above.]

Chapter 17.34 DOWNTOWN PLAN DISTRICT (PROPOSED)

17.34.020 Characteristics of Downtown Sub-Districts

D. Tourist Commercial District (TC)

*The existing Tourist Commercial District encompasses a small number of properties near the End of the Oregon Trail. The Downtown Community Plan recommended expansion of the tourist Commercial District to support the End of the Oregon Trail and the potential high-speed rail station. The established range of uses permitted in the Tourist Commercial District has not been changed, with the exception of adding office uses to **the list of permitted uses.***

Response: This project is the planned high-speed rail station that will eventually support high speed rail. The project will support the End of Trail area and connectivity to the historic downtown. The area along Washington Street on the north side of the station could be developed with office or commercial development.

17.34.030 *Uses*

Response: The Tourist Commercial zone does not specifically mention transportation facilities however, the uses allowed are not limited to the specific uses listed in the tourist commercial zone. The Comprehensive plan was amended in 1990, amending the tourist commercial land designation and clarifying that "*The Tourist Commercial district is intended to serve the retail and service needs of the End of the Oregon Trail tourist related uses.*" The availability of train service to the area will provide transportation to the End of the Oregon Trail tourist related uses.

17.34.040 ***Development Standards***

Minimum Lot Size – None

Response: Not applicable

Minimum Floor Area Ratio Required – None

Response: Not applicable

Building Height Maximum – 58 feet

Response: The building height will not exceed the existing grade elevation by more than 25 feet.

Front Setback - Minimum – 0 feet, Maximum – 20 feet

Response: The station will be greater than 20 feet from the front lot line. It must be located next to the rail line and associated platform. Larger setbacks can be approved at the Design Review stage with enhanced pedestrian spaces and amenities like those proposed with this project (Section 17.34.040.B, Table 2 footnote [6]). The larger setback will be requested with design review.

Side and Rear Setbacks – 10 feet

Response: The depot building will keep a minimum of 10 feet from the rear and side property lines.

Parking Requirement

Response: The Oregon City Code, and the Downtown Community Plan Parking Analysis are silent regarding minimum parking needed for train stations. The proposed parking is based on anticipated use and budget. The project will build parking for 51 cars (47 in the parking lot and 4 driveways). Future expansion is possible, however not anticipated at this time.

Landscaping Minimum – 15%

Response: The proposed plan will accommodate more than the minimum of 15% landscaped area on the site. (See plan.)

17.34.070 *Site Plan and Design Review in the Downtown Plan Districts*

Response: The Oregon City Amtrak Station proponents are requesting design review approval under a separate concurrent application.

Oregon City Downtown Community Plan - Design Guidelines

Response: The Oregon City Amtrak Station proponents will request design review approval under a separate application.

Oregon City Downtown Community Plan – Future Parking

Subarea 7

Response: The Oregon City Amtrak Station will support a growing commercial activity center on Washington Street. The anticipated parking area will support daily and long term rail riders and rail service-related employees.

Oregon City Downtown Community Plan – Circulation Analysis

Facility Improvements (Steering Committee Prepared)

4. Pedestrian facilities on Washington Street.

Response: This project will provide sidewalk facilities on the west side of Washington Street coinciding with the area for the station improvements. The sidewalk segment south of the proposed driveway will be designed to accommodate the future wider sidewalk that will eventually extend from the End of the Oregon Trail Center to 13th Street. Pedestrian improvements north of the area coinciding with the street frontage will occur when these areas of the site are proposed for development.

5. Bicycle facilities on Washington Street.

Response: A bicycle lane will be provided with the half-street improvements coinciding with the area for the station improvements.

6. Transit facilities on Washington Street.

Response: The project will accommodate a Tri-Met bus connection and the Oregon City trolley connection to the area in front of the station.

Highway 213

Implement the recommendations for improvements and modifications to this corridor, as specified in the Highway 213 Corridor Study.

Response: The Highway 213 Corridor Study does not identify any improvements or modifications within the immediate vicinity of the project site (per City of Oregon City Engineering staff).

Other Roadway Improvements

As development occurs in new areas such as the Clackamette Cove and Rossman's Landfill areas, roadway connections of the appropriate size and character must be developed. Creating a Redland Road-to-Washington



As development occurs in new areas such as the Clackamette Cove and Rossman's Landfill areas, roadway connections of the appropriate size and character must be developed. Creating a Redland Road-to-Washington Street and a Washington Street-to-Main Street connection will improve local circulation and relieve congestion in certain areas of the community. No other extensions, connections, or expansions have been identified for this study area.

Response: The Amtrak Station project includes public street improvements on the west side of Washington Street in the area of the project improvements. These public street improvements include a new half-street with sidewalk, bike lane, a single travel lane and a turn lane.

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KITTELSON & ASSOCIATES, INC.

TRANSPORTATION PLANNING/TRAFFIC ENGINEERING

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TECHNICAL MEMORANDUM
Molalla Avenue Bikeway and Boulevard Improvements Plan
Corridor Safety and Enhancement Plan

Date: May 1, 2001 **Project #:** 4054

To: Sharron Zimmerman, P.E.
City of Oregon City

From: John Ringert, P.E., Marc Butorac, P.E., and Sonia Hennum

cc: Bob Wallis, P.E., Wallis Engineering
Mike O'Brien, Greenworks

The City of Oregon City initiated the Molalla Avenue Bikeway and Boulevard Improvements Plan in the spring of 2000 with the goal of creating a corridor plan to guide the management and development of the roadway facility and the surrounding land use and transportation systems. In supplement to this study, the City has recognized the importance of outlining both short- and long-term solutions to identified accessibility and mobility issues along the corridor in order to provide for the safe and efficient movement of people and goods throughout the corridor. As such, Kittelson & Associates, Inc. has prepared the following technical memorandum in order to document a recommended Corridor Safety and Enhancement Plan for the study corridor of Molalla Avenue, between 7th Street and Highway 213, in Oregon City, Oregon.

The focus of this memorandum is to identify opportunities for improving the transportation and land use access system along Molalla Avenue. Throughout the development of the Molalla Avenue Bikeway and Boulevard Improvements Plan several improvement alternatives were developed and evaluated in order to address safety, operational, mobility, and accessibility issues along the corridor. The key design, planning, and operational opportunities addressed in this memorandum include:

- Reducing vehicular conflict points along Molalla Avenue and its intersecting access locations (both public and private);
- Improving access along the Molalla Avenue corridor to provide safe and efficient operations for all travel modes throughout the corridor; and
- Developing viable, efficient on-site and adjacent corridor circulation patterns consistent with and complementary to the proposed goals and objectives of the Molalla Avenue Bikeway and Boulevard Improvements Plan.

THE ACCESS MANAGEMENT CONCEPT

Access management is a means of preserving the function of an arterial system and other transportation systems by building good design practices into land access and facility design or, as in the case of Molalla Avenue, redesign. Arterial streets are often the primary means for inter- and intra-city travel by car and truck, and are the prime components of a community's roadway system. Development, however, tends to load local traffic onto these facilities, which can degrade their primary functions of safety and mobility. Access management is the primary tool for preserving both the arterial function and providing safe access for adjacent development. At the core of the access management concept is a design and policy philosophy for roadway management, intertwined with a consistent land use policy, intended to provide and preserve safety and mobility.

Access management and enhancement concentrates on minimizing the number of direct access points to major surface streets while still providing reasonable and effective indirect access to properties. Key components of successful access management implementation include effectively designing driveways and enforcing safe and efficient spacing and location of driveways. A variety of techniques can be used in order to achieve access efficiency, including: geometric design considerations (i.e., medians, islands, channelization) that prohibit certain movements, consolidation of access points (i.e., joint/shared driveways, cross-over easements), and the provision of auxiliary lanes for turning movements. Such improvements, when implemented correctly, can provide significant benefit for smoother vehicle flow, reduced travel delay, and fewer crashes and other safety incidents. These benefits lead in turn to advantages such as reducing road users travel time, fuel consumption, property damage, and personal injury.

Facilities with raised medians are shown to have lower accident rates than facilities without this type of treatment. However, with medians some traffic must take more circuitous routes to get to desired destinations, thereby increasing Vehicle Miles Traveled (VMT) on the system and creating the possibility for other operational issues either on or off the primary transportation system. There is also the possibility that a portion of traffic stops going to certain destinations and reroutes to others (i.e., drivers go to other businesses of the same nature that are now relatively easier to reach). This, of course, is a major concern for business and property owners along the arterial roadway on which access management strategies are being proposed. These concerns and issues must be carefully evaluated, and weighed against possible benefits, when access management opportunities are being considered.

The ability to manage access effectively is often dependent on how developed an area is when access management and enhancement action is taken and new access policies are implemented. If access management is considered at the initial planning stages, before significant development has occurred, there exists the greatest potential and opportunity for results. In more established or built-out areas, such as Molalla Avenue, where little or no previous consideration has been given to access planning along the corridor, a strategy must be developed that "retrofits" the existing roadway and access configuration to a plan that meets the community's goals and visions for that facility. This process typically occurs by modifying the access to individual and joint properties as they change land use and/or redevelop, or jointly to a number of parcels with a major roadway reconstruction project. If access changes occur with redevelopment, the strategies and approaches available are often constrained by limited site frontage and depth, and the lack of space for joint and/or shared access points.

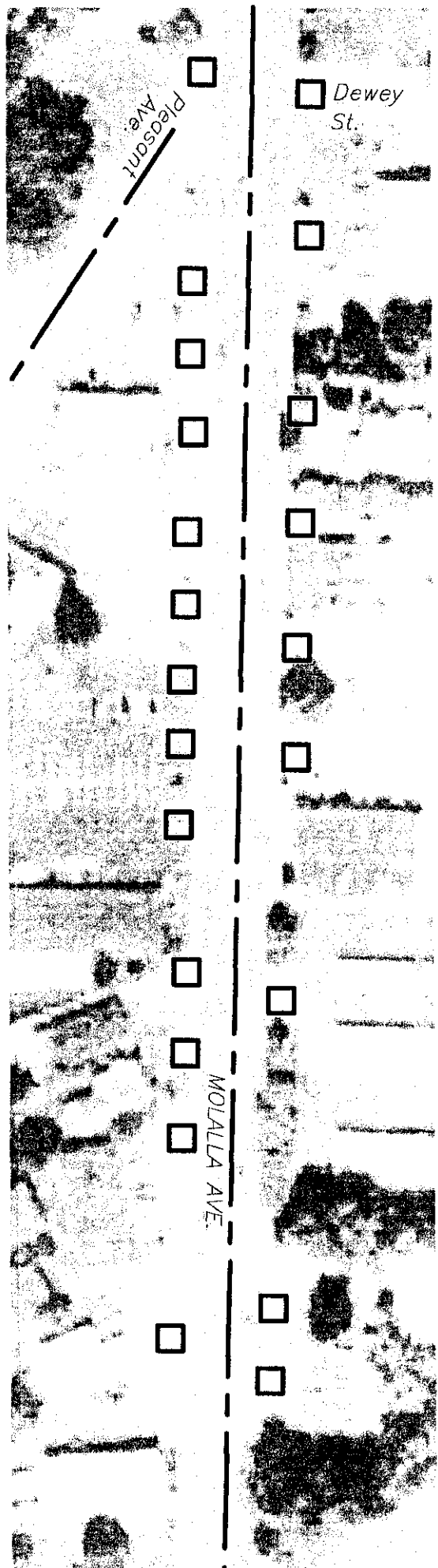
Specifically in the case of Molalla Avenue, the access management and enhancement policies implemented must complement the livability and streetscape vision for the corridor, such as fostering a pedestrian and bicycle friendly environment and encouraging the development of an economically viable, main street-oriented atmosphere.

EXISTING CORRIDOR ACCESS CONFIGURATION

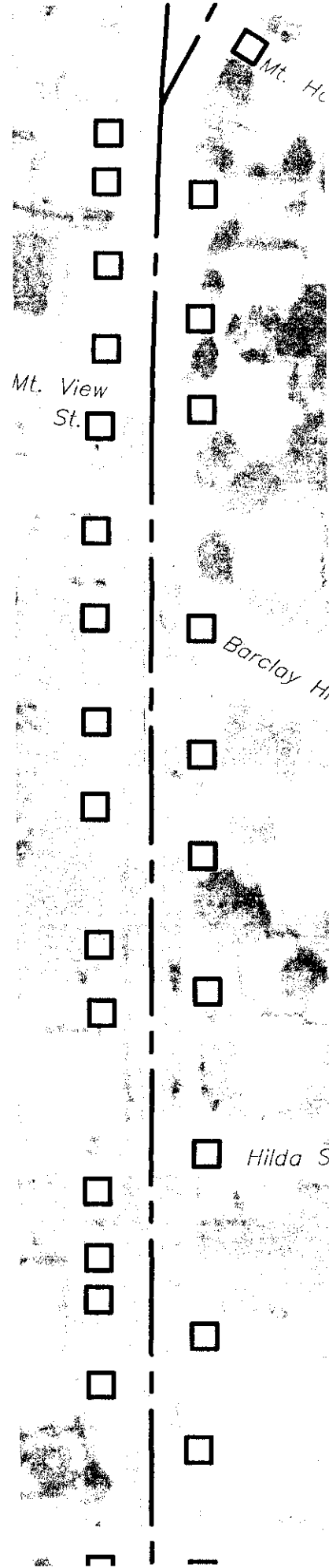
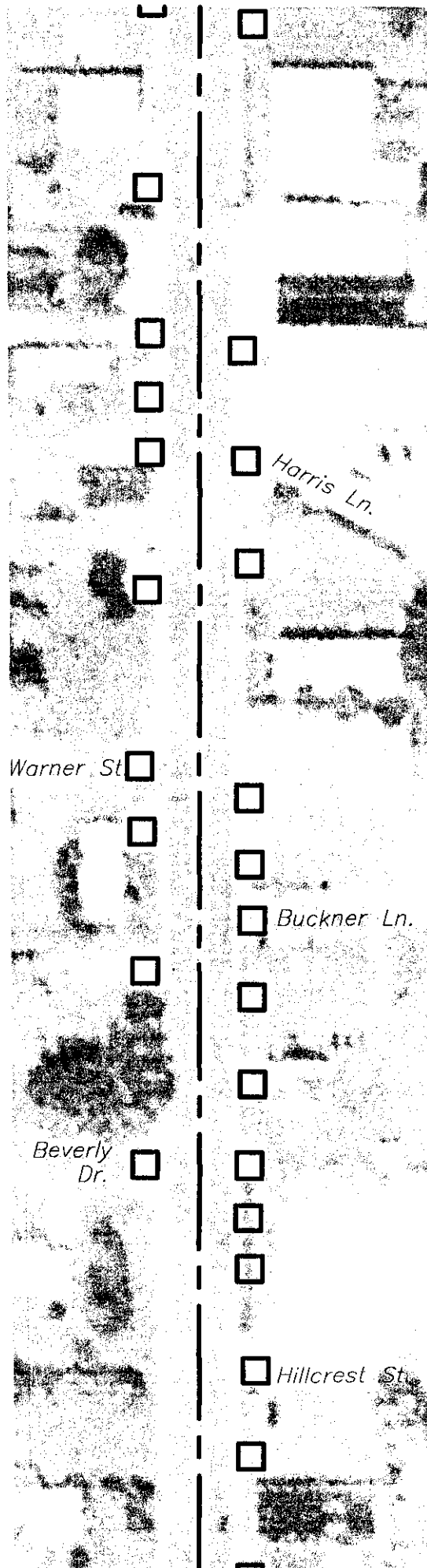
Under existing conditions, the access configuration along the Molalla Avenue corridor consists of a proliferation of unevenly spaced driveway approaches. This is the result of piecemeal development patterns over the last 50 years, in the absence of any corridor or overall access enhancement plan for the facility. The large number of varying access approaches, in conjunction with growing traffic volumes along the corridor, impacts the overall mobility and operational safety of Molalla Avenue. This existing environment makes access to and from facilities and adjacent land uses difficult, reducing the potential roadway capacity, and impeding traffic operations throughout the corridor. Consequently, motorists are faced with a high potential for encountering conflicting turning vehicles, pedestrians, bicycles, and other roadway users. The frequent, poorly delineated, and inconsistent access spacing along the corridor also provides increased opportunity for conflicts with pedestrians and bicyclists.

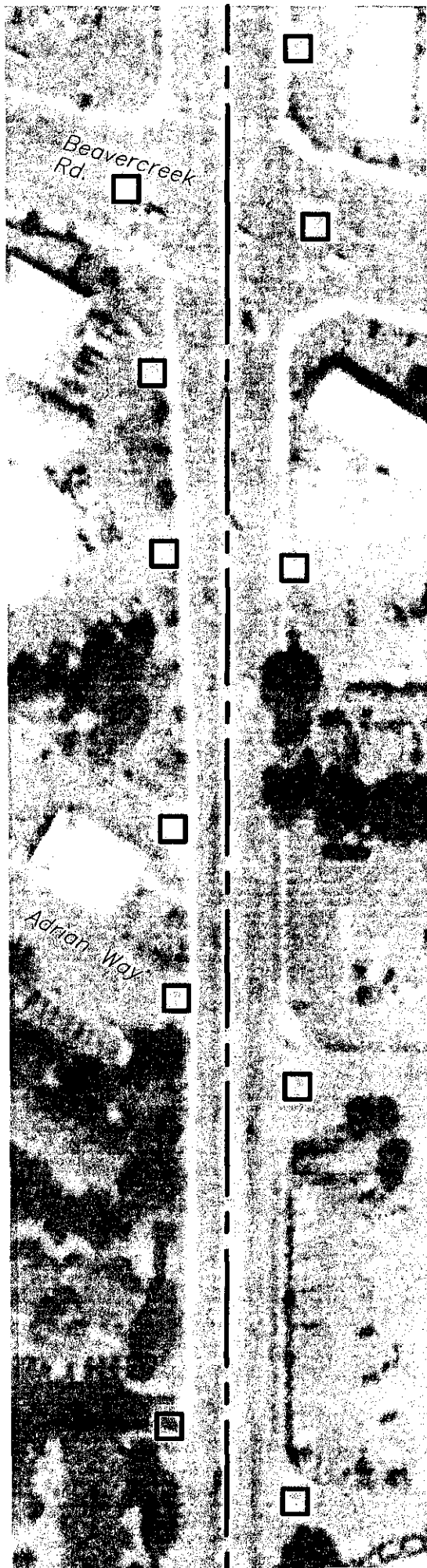
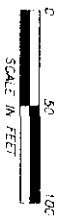
The location of existing private driveway and public access locations along Molalla Avenue were surveyed on a parcel-by-parcel basis. Figures 1A through 1E highlight the existing driveway and intersection approaches and access points along the extent of the Molalla Avenue study corridor. As shown in the figures, in many locations the existing access configuration along the corridor provides multiple access points and curb cuts for a single property. The existing access evaluation also revealed that in certain instances there is relatively little delineation identifying approaches to Molalla Avenue.

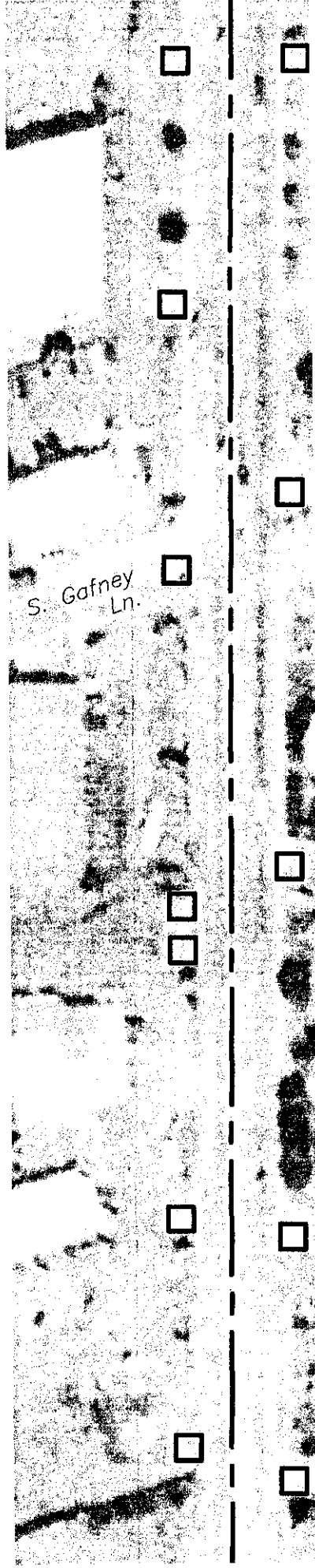
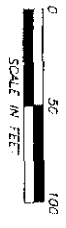
Currently, the City of Oregon City does not have an official access management or access spacing policy. However, the City is currently in the process of adopting a policy on Street Design Standards that includes provisions outlining Access Management Standards.



0 50 100
SCALE IN FEET







0 50 100
SCALE IN FEET



Lazy Creek
Ln

Cascade Hwy So

CORRIDOR SAFETY ENHANCEMENT PLAN

The existing configuration of access points along Molalla Avenue does not adequately provide a safe and efficient environment in which safety, mobility, and accessibility are balanced. The proposed geometric and streetscape improvements identified in the Molalla Avenue Bikeway and Boulevard Improvements Plan will enhance the roadway, pedestrian space, streetscape environment, and adjacent properties by providing curbs, bicycle lanes, wider pedestrian ways, and landscaping treatments. From an operational and safety perspective, it is also necessary to properly manage the location and operation of both the public and private access approaches along the roadway in order to minimize turning movement conflicts between adjacent and opposing points of access, and between vehicular, pedestrian, and bicycle movements. Driveways and local street access points should be placed appropriately to limit potential conflicting turning movements, weaving maneuvers over short distances, and to provide for safe and efficient on-site circulation.

As Oregon City develops along with the greater Portland Metropolitan area, the community will rely more heavily upon a variety of travel modes as congestion increases. As such, it will become increasingly important to manage access on both the existing and future roadway system as new development and redevelopment occurs. Based on these parameters, an access management safety and enhancement plan for the Molalla Avenue corridor was developed to highlight opportunities for accessibility and mobility improvements along the facility. The focus of the access plan was to provide an enhanced and efficient access configuration along the extent of the Molalla Avenue corridor that serves to maximize the vehicular, pedestrian, and bicycle capacity; prioritizes the safety of all roadway users; develops and fosters the desired aesthetic, land-use/transportation system vision for the corridor; and ensures efficient and viable access for all property owners. The access plan was developed through a series of field reconnaissance visits and meetings with City Staff.

The assessment of viable access improvements and enhancements were developed based on the constraints and opportunities associated with the existing land uses and transportation system in the corridor. They represent a best effort in developing a safe and efficient access management plan that strives to achieve the community goals for Molalla Avenue, while recognizing the existing constraints along the corridor. The intent of the access plan was to define access refinement opportunities in order to minimize conflict points, preserve the capacity of the roadway, and maintain accessibility to adjacent land uses. In addition, the proposed access enhancement opportunities described in the following sections attempt to balance property accessibility and roadway mobility, and are designed to promote efficient on-site circulation patterns.

The access management and safety enhancement plan presented in this report attempts to achieve a compromise between the issues of mobility for all roadway users (vehicles, pedestrians, and bicyclists) and accessibility for local property owners. Key issues of the proposed access efficiency and enhancement plan include:

- Reducing potential conflict points along the roadway facility,
- Eliminating redundant and/or unused access points,
- Improving on-site circulation patterns for adjacent properties and land uses, and

- Achieving a balance between accessibility to local land uses, roadway safety, and roadway mobility.

The proposed access management and safety enhancement opportunities are designed to promote efficient access spacing and effective on-site circulation patterns. The proposed access management and enhancement opportunities can be qualified into three categories:

- Potential driveway closures or access modifications,
- Median treatments, and
- System-wide circulation improvements.

The specific access management and enhancement opportunities identified under each of these categories are outlined and described in the following sections. Figures 2A through 2E and Figure 3 graphically present the proposed access management and enhancement opportunities identified as part of this plan.

Potential Access Closure, Consolidation, and/or Modification Opportunities

The Molalla Avenue Corridor Safety and Enhancement Plan identified opportunities to potentially eliminate and/or consolidate the following private access points on the corridor. With each access location identified, a description of the justification for the driveway closure/consolidation and the identified means of alternative access to and from the subject land parcel are also outlined. The access closures, consolidations, and modifications are identified by a red circle in Figures 2A through 2E.

- A-1. Astro Systems (311 Molalla Avenue, Tax Lot 22E32CC03100) – remove unused (fenced off) curb cut on the east side of Molalla Avenue (just south of Pearl Street). Alternative access for the property is currently provided from Pearl Street.
- A-2. Private Residence (302 Molalla Avenue, Tax Lot 22E32CC03400) – remove redundant (southern-most) curb cut on the west side of Molalla Avenue (just north of Pleasant Avenue). The property already has one access point onto Molalla Avenue.
- A-3. Salvage Yard (405 Molalla Avenue, Tax Lot 22E32CC02000) – remove redundant (northern-most) curb cut on the east side of Molalla Avenue (just south of Dewey Street). The property has alternative access off of Dewey Street.
- A-4. Rainbow Finishes (407 Pleasant Avenue, Tax Lot 22E32CC08000) – remove redundant (northern-most) curb cut on the west side of Molalla Avenue (just south of Pleasant Avenue) and the curb cut (northern-most) on Pleasant Avenue (just west of Molalla Avenue). The parcel already has additional access points onto Molalla Avenue and Pleasant Avenue. By removing these two curb cuts, the property's parking lot can be reconfigured to provide more parking spaces and a more efficient on-site circulation pattern.
- A-5. Taco Time and Tacho's Mexican Restaurants (503 Molalla Avenue, Tax Lot 22E32CC08600 and 515 Molalla Avenue, Tax Lot 22E32CC08903) – consolidate two existing curb cuts into one shared access point. It should be noted that on-site parking is already shared between these two parcels.

A-5: CONSOLIDATE
TO ONE ACCESS

MOLALLA AVENUE

Dewey
St.

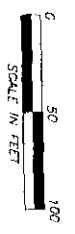
A-3

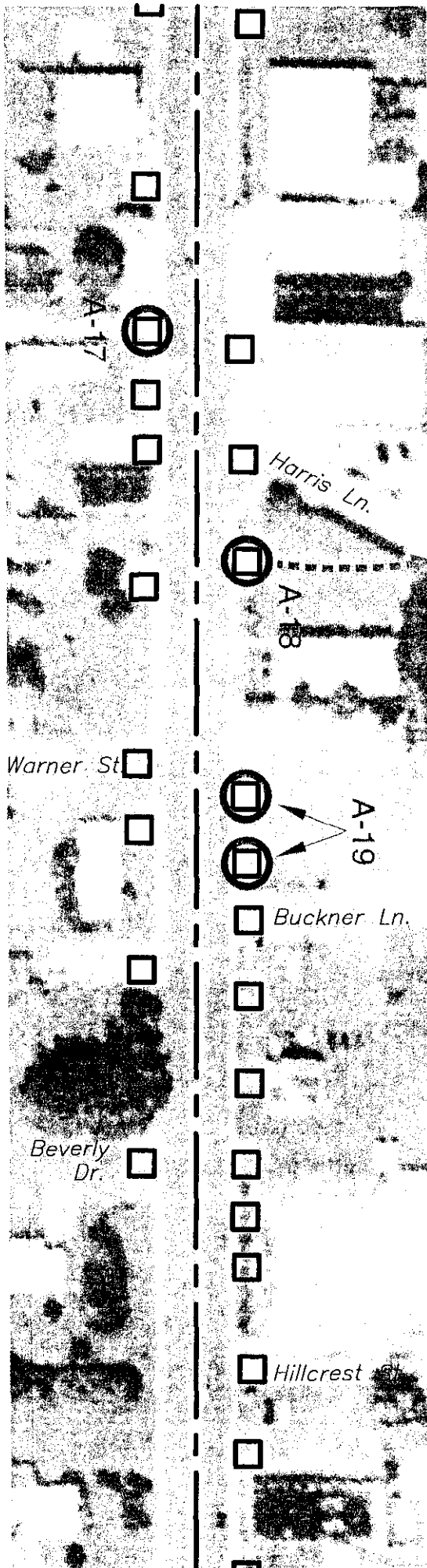
A-7

A-2 Pleasant
Ave.

A-6

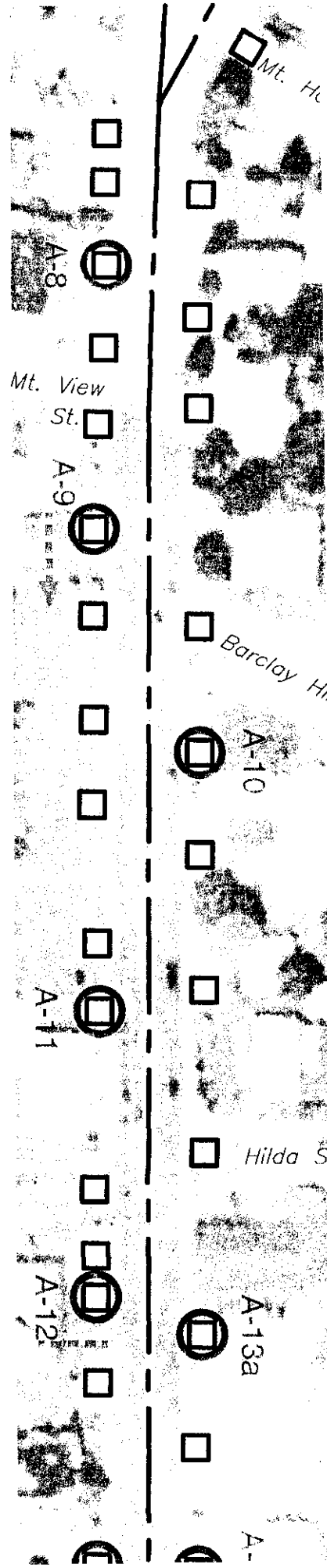
MOLALLA AVE.





ALTERNATE ACCESS
FROM HARRIS LANE

ON BELVOUE PARKING BLOCK





Warner-Milne Rd.

M-5

M-7

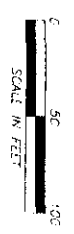
Beaver Creek Rd.

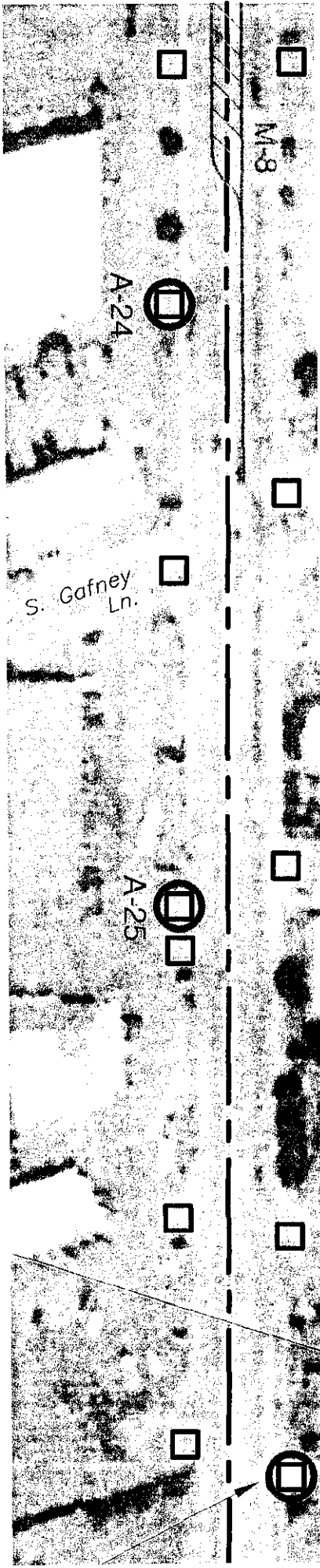
A-22

Adrian Way

A-23

0-3 REMOVE FENCE AND PROVIDE
ALTERNATIVE ACCESS FROM
CLASHMONT WAY

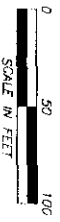


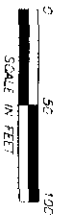


ALTERNATE ACCESS
FROM FIR STREET



REALIGN ACROSS FROM
CHAR DIAZ DRIVE





Lazy Creek
Ln.

Cascade Hwy So.

- A-6. Hilltop Community Church (592 Molalla Avenue, Tax Lot 22E32CC08300) – eliminate the two redundant northern-most curb cuts on the west side of Molalla Avenue, the parcel already has one access point onto Molalla Avenue. The removal of these two curb cuts will allow for the addition of four to five more parking spaces and safer, more efficient on-site circulation.
- A-7. Hillside Terrace Apartments (Tax Lot 22E32CC08901) – eliminate redundant (southern-most) curb cut on the east side of Molalla Avenue. The parcel already has one access point onto Molalla Avenue. Removal on this cut curb will allow for the provision of more parking spaces and safer, more efficient on-site circulation.
- A-8. Oregon City Floor Covering (812 Molalla Avenue, Tax Lot 32E05BB06400) – eliminate redundant (northern-most) curb cut on the west side of Molalla Avenue (just north of Mountain View Street). The parcel already has one access point onto Molalla Avenue.
- A-9. Chevron Service Station (860 Molalla Avenue, Tax Lot 32E05BB06300) – eliminate redundant (northern-most) curb cut on the west side of Molalla Avenue and provide a crossover easement with the parcel to the north. The parcel already has one access point onto Molalla Avenue.
- A-10. Valley Glass Company (875 Molalla Avenue, Tax Lot 32E05BB04600) – eliminate redundant (northern-most) curb cut on the east side of Molalla Avenue (just south of Barclay Hills Drive). The parcel already has one access point onto Molalla Avenue and alternative access to/from Barclay Hills Drive.
- A-11. 76 Service Station (896 Molalla Avenue, Tax Lot 32E05BB06100) – eliminate redundant (southern-most) curb cut on the west side of Molalla Avenue. The parcel already has one access point onto Molalla Avenue.
- A-12. New China Restaurant (904 Molalla Avenue, Tax Lot 32E05BC00700) – eliminate redundant (southern-most) curb cut on the west side on Molalla Avenue. The property already has one access point onto Molalla Avenue. In addition, by removing one concrete parking block, the access, on-site circulation and parking of this parcel can be consolidated with the Pioneer Plaza property to the south (see System-Wide Circulation Improvement C-1).
- A-13. American General Finance (901 Molalla Avenue, Tax Lot 32E05BA03800) and Carousel Cleaners and Laundry (927 Molalla Avenue, Tax Lot 32E05BA04100) – remove redundant curb cuts on the east side of Molalla Avenue (just south of Hilda Street and southern-most access). These two properties can consolidate access to one shared location.
- A-14. Mt. View Professional Center (1001 Molalla Avenue, Tax Lot 32E05BD00102) – eliminate redundant northern-most curb cuts on the east side of Molalla Avenue. The parcel already has two access points onto Molalla Avenue.
- A-15. Private Residences (Tax Lots 32E05BC00100 and 32E05BC01202) – consolidate the two curb cuts for the private residences on the west side of Molalla Avenue (north of May Street) into one shared access point.

- A-16. Madeira-Coopers Insurance (956 Molalla Avenue, 32E05BC01400) – eliminate redundant (southern-most) curb cut on the west side of Molalla Avenue (just north of May Street). The parcel already has one access point onto Molalla Avenue and alternate access via May Street.
- A-17. Hilltop Tax Service (1020-A Molalla Avenue, Tax Lot 32E05BC02000) – remove redundant (northern-most) curb cut on the west side of Molalla Avenue. The parcel already has one access point onto Molalla Avenue. In addition, access to this property could be consolidated with that for the parcel directly to the south (Towne Pump Service Station).
- A-18. Elliott Professional Building (1017 Molalla Avenue, Tax Lot 32E05BD01100) – eliminate curb cut on the east side of Molalla Avenue (just south of Harris Lane). Alternative access to the parcel is already available from Harris Lane.
- A-19. Vacant Lot (1101 Molalla Avenue, Tax Lot 32E05BD01200) – eliminate two unused curb cuts on the east side of Molalla Avenue (just north of Buckner Lane). Alternative access is available via Buckner Lane.
- A-20. Bank of the West (1301 Molalla Avenue, Tax Lot 32E05DB02200) – eliminate curb cut on the east side of Molalla Avenue (just south of Fox Lane). Alternative access for the parcel is already provided via Fox Lane.
- A-21. Dale's Auto Wrecking (1367 Molalla Avenue, Tax Lot 32E05DB03300) – eliminate redundant (northern-most) curb cut on the east side of Molalla Avenue. The property already has one access point onto Molalla Avenue. Eventually both Molalla Avenue access points to this property could be replaced by a crossover easement connection to the Hilltop Mall traffic signal.
- A-22. Marquis Care at Oregon City (1680 Molalla Avenue, Tax Lot 32E05C00301) – due to the close proximity to the Beavercreek Road intersection, modify the northern-most curb cut on the west side of Molalla Avenue (just south of Beavercreek Road) to a right-in/right-out only access.
- A-23. Mountain View Apartments (1840 Molalla Avenue, Tax Lot 32E05C00400) – eliminate curb cut on the west side of Molalla Avenue (north of Clairmont Way). Alternative access for the apartment complex can be provided from Clairmont Way by removing an existing fence.
- A-24. Joanne Fabrics (1842 Molalla Avenue, Tax Lot 32E08AB00100) and Burgerville (1900 Molalla Avenue, Tax Lot 32E08AB00900) – eliminate redundant (southern-most) curb cut on the west side of Molalla Avenue (north of Gaffney Lane). Joanne Fabrics already has one access point onto Molalla Avenue and Burgerville has alternative access off of Gaffney Lane.
- A-25. Perfect Pizza (2262 Molalla Avenue)/Maximus Salon (2258 Molalla Avenue)/Walsh Insurance (2264 Molalla Avenue) (Tax Lot 32E08AB01000) – eliminate redundant (northern-most) curb cut on the west side of Molalla Avenue (south of Gaffney Lane). The parcel already has one access point onto Molalla Avenue.
- A-26. Leong's Restaurant (19212 Molalla Avenue, Tax Lot 32E09B01502) – eliminate curb cut on the east side of Molalla Avenue (just south of Fir Street). Alternative

access to this parcel is already provided via Fir Street. In addition, access to this parcel can be provided via the existing access point for the property directly to the south (Wilco).

- A-27. Followers of Christ Church (19394 Molalla Avenue, Tax Lots 32E08A02900 and 32E08A03000) – realign southern-most curb cut on the east side of Molalla Avenue to be across from Char Diaz Drive.

Median Treatments

The Molalla Avenue Corridor Safety and Enhancement Plan identified opportunities to construct median treatments along the following segments of the Molalla Avenue corridor. Unless otherwise specified, the median treatments will be raised and landscaped, constructed to the standards and specifications outlined in the Molalla Avenue Bikeway and Boulevard Improvements Plan. With each proposed median treatment identified, any associated access modifications that will be required are also outlined. The proposed median treatments along the corridor are identified by a green marking in Figures 2A through 2E.

- M-1. North of Division Street to Willamette Street (250 feet) – a raised, landscaped median with a 100-foot southbound left-turn lane at Willamette Street.
- M-2. Willamette Street to Roosevelt Street (425 feet) – a raised, landscaped median with a 100-foot northbound left-turn lane at Willamette Street and a 100-foot southbound left-turn lane at Roosevelt Street. As part of this median treatment access to Logus Street from Molalla Avenue will be converted to right-in/right-out only. The residential properties along Logus Street will have alternative full-access to Molalla Avenue at both the Willamette Street and Roosevelt Street intersections.
- M-3. South of the Hillside Terrace Apartments to North Pleasant Avenue (400 feet) – a raised, landscaped median. As part of this median treatment the eastbound left-turn movement at the Molalla Avenue/North Pleasant Avenue intersection (i.e. eastbound Pleasant Avenue to northbound Molalla Avenue) will be prohibited. Alternative northbound Molalla Avenue access is provided for Pleasant Avenue at the Molalla Avenue/South Pleasant Avenue intersection.
- M-4. Warner Milne Road to Hilltop Mall Access (400 feet) – a raised, landscaped median with a 250-foot northbound left-turn lane at Warner-Milne Road. The southbound left-turn lane storage requirements at the Hilltop Mall access will be determined upon the completion of the fourth leg of the Molalla Avenue/Hilltop Mall intersection.
- M-5. Hilltop Mall Access to Beavercreek Road (475 feet) – a raised, landscaped median with a 100-foot northbound left-turn lane at the Hilltop Mall access and a 325-foot southbound left-turn lane at Beavercreek Road.
- M-6. Beavercreek Road to 125-feet South – raised, 2-foot curb median. As part of this median treatment the northern-most access to Marquis Care at Oregon City will be converted to a right-in/right-out only driveway. Alternative full-access to Molalla Avenue will be maintained at the parcels southern curb cut access.

- M-7. South Ridge Center Access to Clairmont Way (400 feet) – a raised, landscaped median with a 100-foot northbound left-turn lane at the South Ridge Center access and a 100-foot southbound left-turn lane at Clairmont Way. As part of this median treatment the existing access to the Mountain View Apartments would be eliminated. The apartment complex would be provided with alternate access via Clairmont Way.
- M-8. Clairmont Way to South Gaffney Lane (400 feet) – a raised, landscaped median with a 125-foot northbound left-turn lane at Clairmont Way and a 175-foot southbound left-turn lane at South Gaffney Lane.

System Wide Circulation Improvements

An additional design, planning, and operational concern considered through this process was the development of viable, efficient on-site and adjacent corridor circulation patterns consistent with and complementary to the proposed access management and enhancement plan. In addition to enforcing safe and efficient spacing and location of driveways, a key component of successful access efficiency implementation includes effectively designing driveways and on-site circulation patterns for adjacent properties and land uses.

In addition to the driveway consolidation and median treatment improvements identified above, the Molalla Avenue Corridor Safety and Enhancement Plan also identified opportunities for system-wide circulation improvements, outlined below, to complement the plan. The proposed system-wide circulation improvements are identified with blue marking in Figures 2A through 2E and Figure 3.

- C-1. Remove parking block between the New China Restaurant and the Pioneer Plaza property to the south – this will allow for the consolidation of the access points between the two properties, shared parking, and more efficient on-site circulation for both parcels.
- C-2. Develop crossover easements on the east side of the Bank of the West, Wendy's, and Dale's Auto Wrecking parcels to provide a back access road between Fox Lane and the Hilltop Mall signal – this will allow for the provision of a median treatment between Warner-Milne Road and Hilltop Mall (median treatment M-4); the elimination of the two southern-most curb cuts on the east side of Molalla Avenue just north of the Hilltop Mall signal; and the elimination of the curb cut on the eastside of Molalla Avenue just south of Hilltop Avenue. Alternative access to the three parcels would be provided via the two signalized intersections of Warner-Milne Road-Fox Lane/Molalla Avenue and Hilltop Mall/Molalla Avenue, and a connecting back access roadway developed from shared crossover easements. A conceptual system circulation plan for this improvement opportunity is illustrated in Figure 3.
- C-3. Remove the existing fence behind the Mountain View Apartments – this will allow for the closure of the complex's access onto Molalla Avenue and provide alternative access via Clairmont Way.

0 25 50
SCALE IN FEET



Milne
Rd.



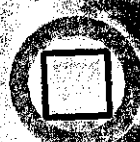
Fox Ln.



A-20



Hilltop Ave.



M-4



A-21

ACCESS SPACING STANDARDS

The final section of this technical memorandum summarizes the proposed Access Spacing Standards that will be adopted with the new City of Oregon City Street Design Standards. As previously discussed, maintaining a safe and efficient spacing and location of access points is a key component of successful access efficiency implementation. Driveways and local street access points should be placed appropriately to limit potential conflicting turning movements, weaving maneuvers over short distances, and to provide for safe and efficient on-site circulation.

Once adopted, the proposed City of Oregon City Access Spacing Standards will specify policies and standards that all future development (zone changes, comprehensive plan amendments, city projects, redevelopment, and/or new development) along Molalla Avenue will be required to meet. The existing driveway and public street intersection spacing locations would not be required to meet the proposed spacing standards immediately. However, existing permitted connections, not conforming to the design goals and objectives of the roadway, will be upgraded as circumstances permit and during redevelopment. At any time, an approach road may need to be modified and improved due to an identified safety problem or a capacity issues that exists or becomes apparent.

In certain instances, access exceptions may be provided to properties whose frontage, topography, or location otherwise preclude issuance of a conforming access permit and would otherwise have no reasonable access or cannot obtain reasonable alternate access to the public street system. In such situations, a conditional access permit may be issued by the City of Oregon City for a single connection to a property that cannot be accessed in a manner that is consistent with the spacing standards. The permit may carry a condition that the access may be closed or relocated at such a time that reasonable alternative access becomes available to a local public street. Conditions of approval may also require a given land owner to work in cooperation with adjacent land owners to provide joint or shared access points, front and/or rear cross-over easements, or a rear access upon future redevelopment. Under special circumstances, the City of Oregon City may purchase property in order to prevent safety conflicts.