PLANNING COMMISSION AGENDA City Commission Chambers - City Hall 625 Center Street, Oregon City, Oregon 97045 September 26, 2011 at 7:00 p.m.

The Planning Commission agendas, including staff reports, memorandums, and minutes are available from the Oregon City Web site home page under meetings.(<u>www.orcity.org</u>)

- 1. CALL TO ORDER
- 2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA
- 3. ADOPTION OF PLANNING COMMISSION MINUTES
 - a. Adoption of Minutes for May 23, 2011 Planning Commission meeting.
- 4. PLANNING COMMISSION HEARING
 - a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by 7,731 sf and make modifications to landscaping, parking and access.

MD 11-02: Modification of approved planning files CU 07-07, MP 07-11 and Conditions of Approval to adjust the proposed partition, increase the size of the church parcel by 4000 sf, and accommodate the future alignment of Josephine Street.

- b. 2011 2012 Planning Commission Goals and Objectives
- 5. ADJOURN

Video Streaming & Broadcasts: The meeting is streamed live on Internet on the Oregon City's Web site at www.orcity.org and available on demand following the meeting. The meeting can be viewed live on Willamette Falls Television on Channels 23 and 28 for Oregon City and Gladstone residents; Channel 18 for Redland residents; and Channel 30 for West Linn residents. The meetings are also rebroadcast on WFTV. Please contact WFTV at 503-650-0275 for a programming schedule.

City Hall is wheelchair accessible with entry ramps and handicapped parking located on the east side of the building. Hearing devices may be requested from the City Recorder prior to the Commission meeting. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the Planning Dept. at 503-722-3789.

CITY OF OREGON CITY PLANNING COMMISSION HEARING

May 23, 2011, 7:00 P.M. City Commission Chambers - City Hall

1. CALL TO ORDER

Chair Stein called the meeting to order at 7 p.m.

Roll Call:	Staff Present:
Chair Carter Stein	Laura Terway, Assistant Planner
Commissioner Charles Kidwell	Carrie Richter, Assistant City Attorney
Commissioner Zachary Henkin	Tony Konkol, Community
Commissioner Paul Espe	Development Director
Commissioner Denyse McGriff	

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

Stephanie MacGurn, resident of Oregon City, received a notice of violation due to a membrane structure on her property. She asked the Commission to consider an exception and allow her to keep her carport where it was. Her home sat sideways to 4th Avenue and the carport sat beside her home. Her home was on a steep slope and the carport was kept neat and some flowering shrubs would be planted around it. A vehicle and firewood was kept underneath.

Tony Konkol, Community Development Director, said staff would look into the issue and bring it back to the Planning Commission.

3. PLANNING COMMISSION HEARING

LE 10-02 (Legislative): Request for continuance for the Oregon City Water Master Plan, an Ancillary Plan to the Oregon City Comprehensive Plan.

Commission Report

Request for Continuance from City Engineer

Chair Stein read the hearing statement describing the hearing format and correct process for participation.

Mr. Konkol said this application was initially brought forward at the March 14, 2011 Planning Commission meeting and was continued to this meeting. The Public Works Director was continuing to work with the Finance Department and City Attorney to address the Charter provisions concerning the water rate roll back and how it affected the Water Master Plan. He requested the hearing be continued to August 22, 2011.

There was no public testimony.

Motion by Commissioner Zachary Henkin, second by Commissioner Charles Kidwell to to continue LE 10-02 (Legislative) for the Oregon City Water Master Plan, an Ancillary Plan to the Oregon City Comprehensive Plan, to the meeting of August 22, 2011.

A roll call was taken and the motion passed with Chair Carter Stein, Commissioner Charles Kidwell, Commissioner Zachary Henkin, Commissioner Paul Espe, Commissioner Denyse McGriff voting aye. [5:0:0]

CU 07-05 and SP 07-13 (Quasi-Judicial Hearing)

Commission Report

Exhibit 1: Letter from Carrie Richter, dated May 13, 2011

Exhibit 2: Good Neighbor Agreement, Submitted by Applicant

Exhibit 3: Superintendent Letter, Submitted by Applicant

Entered into Record on May 9, 2011: Exhibit 1

Entered into Record on May 9, 2011: Exhibit 2

Commission Report

CU 07-04 Annual Review Staff Report

Exhibit 1: Vicinity Map

Exhibit 2: CU 07-04 Notice of Decision

Exhibit 3: CU 07-04 Staff Report

Exhibit 5: May 2, 2011 Email from Nancy Busch, Code Enforcement Manager

Exhibit 6: May 2, 2011 Email from Chris Taylor, Executive Assistant for the Oregon City Police Department

Exhibit 7: May 2, 2011 Emails from Rita Cosenza- President/Director House of Hope Portland

Comments from Linda Lord

Chair Stein stated this was a continuation from the last Planning Commission

9/19/2011 4:55 PM

hearing. He asked if the Commission had any further declarations of ex-parte contact, conflict of interest, bias, or statements.

Commissioner McGriff had spoken with a member of the Rivercrest Neighborhood Association and suggested someone from the Neighborhood Association attend this meeting.

Laura Terway, Planner, gave an overview of what was discussed at the last hearing. In 2007 this application was approved with two conditions. The first was a Good Neighbor Agreement with the Rivercrest Neighborhood Association which had a 90 day time limit. She entered the Good Neighbor Agreement created by the applicant as Exhibit 1. The second condition was an annual review for three years to address safety concerns. The application had to meet the Conditional Use criteria and she went over the criteria. There was concern about parking, noise, and traffic, but staff found the applicant to be compliant with the single family neighborhood. There had been discussion about the school meeting State standard. The applicant might use the house as single family use for foster care or continue with the school. Staff recommended approval of the Conditional Use. When the applicant came back next year, if they had ceased the school, the Conditional Use would be canceled, if they moved forward with the school, they would need to follow State standard. She also entered the letter from the applicant to the School District into the record as Exhibit 2.

Chair Stein reopened the hearing for public comment.

Ms. Terway stated the letter from Roger Rada dated October 4, 2007 was Exhibit 3.

Patti Brown of the Rivercrest Neighborhood Association said the Neighborhood Association had no comments or written material provided for or against this facility. They saw no reason to change it and no one had commented. She did not see an issue.

Linda Lord, resident of Oregon City, had a conversation with the State and there had been a difference in the information she got before whether or not a license was required for the function of teaching done at the facility. That was a decision to be made by the state in a review in the fall. She had not known she needed to route her comments to the Neighborhood Association and had always contacted the City. Regarding the events at the house, there had been many vehicles at the facility the last two weekends. It was not a normal single family use, and the frequency was more than once a year. The Fire Marshall should have a maximum occupancy for the house. She had pictures that showed multiple people and vehicles at the facility. The police had not enforced the law and she wanted it to be a nice quiet neighborhood.

Chair Stein closed the public hearing.

Commissioner Kidwell said the concerns had to do with noise and traffic, which were not addressed by the conditions of approval. There were no restrictions beyond what was required for a normal single family house.

Mr. Konkol explained it was hard to know if the extra traffic had to do with the school or the applicant's personal use of her home. They did not regulate

9/19/2011 4:55 PM

such uses in a home. The City did not enforce CC&R's. He explained the criteria that was used for the Conditional Use.

Commissioner Espe referred to the City Attorney's memo. There needed to be evidence that there was a negative impact in the neighborhood and it did not meet the criteria. He thought appropriate conditions of approval should be drafted to mitigate these issues.

Commissioner Henkin said it was difficult to discern whether these events were school or home owner related. He thought they should keep them separate.

Commissioner McGriff did not find the items submitted by the applicant to be credible. She shared copies of Good Neighbor Agreements and thought these issues could be addressed through communication.

Chair Stein said the question was if there was enough evidence that the school would comply with the Conditional Use criteria.

Carrie Richter, Assistant City Attorney, said there was consensus that additional conditions needed to be drafted and they could start the Type 3 review process now or wait until they knew what the applicant was doing. She suggested continuing the hearing and have staff talk with the applicant to determine whether or not to wait for the review.

The Commission discussed what the next step should be.

Commissioner Kidwell thought the application met the Conditional Use criteria and thought they should proceed with the approval and assess next year.

Motion by Commissioner Charles Kidwell, second by Commissioner Zachary Henkin to to affirm staff's recommendation for CU 07-04 (Conditional Use).

A roll call was taken and the motion passed with Chair Carter Stein, Commissioner Charles Kidwell, Commissioner Zachary Henkin, Commissioner Paul Espe voting aye and Commissioner Denyse McGriff voting no. [4:1:0]

CU 07-05 and SP 07-13 (Quasi-Judicial Hearing)

Commission Report

CU 11-01 Staff Report

Exhibit 1: Vicinity Map

Exhibit 2: Applicant?s Narrative and Site Plan

Exhibit 3: Comments Submitted by the McLoughlin Neighborhood Association

Exhibit 4: TAL Review by John Replinger of Replinger and Associates

Chair Stein asked if there were any declarations of ex parte contact, conflict of interest, bias, or statements.

Commissioner McGriff said she had known the applicant's consultant for a number of years and prior to being appointed to the Planning Commission had a discussion with the applicant about the proposed application.

Commissioner Henkin said his wife worked for the Oregon City School District.

Chair Stein and Commissioners McGriff, Henkin, and Espe had visited the site.

Ms. Terway said the Oregon City School District had submitted these applications for two properties to continue the current use of the properties. The applicant had not proposed any exterior alterations to either site. The site on 908 Jackson Street was used for a transitional program for students with learning disabilities and the property on 903 Van Buren was used as an alternative school for students with learning disabilities or emotionally handicapped. The applicant provided a parking analysis and were using the driveway for one parking stall and the adjacent frontage for on street parking for the remainder of the parking. She explained the Conditional Use criteria and recommended conditions of approval.

Chair Stein opened the public hearing and asked for public comment.

Rick Givens, planning consultant, was representing the applicant. He stated these were ongoing programs that the School District started without getting the necessary approvals and now they were trying to get the approvals. There was concern regarding budget constraints of the School District and he requested the conditions of approval be modified to allow for a minimum of two fiscal years in order to implement the street improvements proposed by staff. Since the students were special needs, there was not a need for bicycle racks.

Commissioner McGriff thought the applicant should check in with the McLoughlin Neighborhood Association. She did not think the bike racks were necessary.

Ms. Terway entered the letter from Roger Rada dated May 4, 2010 into the record as Exhibit 1.

The applicant explained the students would not be riding bicycles to school, but they could put a bike rack at Van Buren.

There was no further public testimony.

Chair Stein closed the public hearing.

Commissioner Kidwell thought the application was acceptable with the conditions recommended by staff. He suggested a garage or alternative to a traditional bike rack.

Commissioner Espe thought the structures integrated well with the

9/19/2011 4:55 PM

community and were well adapted to be reused as school facilities to foster an important community need. He thought the bike racks would not be used.

Commissioner Henkin thought the bike rack did not fit the neighborhood and ADA ramps would be installed. He encouraged the applicant to find a place for the bikes, but not include it in the conditions.

Commissioner McGriff thought there should be a recommendation that the School District communicate adequately and frequently with the Neighborhood Association.

Ms. Terway said the Code allowed bike racks to go inside facilities and they could go in the garage in this instance.

Condition #3 was modified to allow the applicant two fiscal years to install the improvements and if the improvements were not made by June 30, 2013, the Conditional Use Permit would be null and void. Condition #5 was modified to install the bicycle rack in compliance with OC MC 1752.040. The bicycle parking would not be visible from any street and could be located in the garage. The bicycle parking could be put on one of the properties to be used for both facilities with adequate signage.

Motion by Commissioner Paul Espe, second by Commissioner Denyse McGriff to to approve CU 11-01 (Conditional Use) and SP 11-03 (Minor Site Plan and Design Review) with the conditions as amended.

A roll call was taken and the motion passed with Chair Carter Stein, Commissioner Charles Kidwell, Commissioner Zachary Henkin, Commissioner Paul Espe, Commissioner Denyse McGriff voting aye. [5:0:0]

4. WORK SESSION

2011 Goals

2009-2010 PC Goals and Objectives

Mr. Konkol summarized the proposed 2011 goals.

Commissioner McGriff suggested a City wide visioning process with community outreach and education and to advise the City Commission and Urban Renewal Commission to budget for it. She suggested using the Beaverton model for community visioning and community involvement.

Chair Stein thought they should encourage the City Commission to do the community visioning process and focus on the Blue Heron site as a starting point. The Beavercreek and South End Concept Plans also were priority and could be included in the visioning.

The Commission discussed the proposed goals.

The consensus of the Commission was to focus on the community visioning with Blue Heron and South End as guiding goals and objectives.

Mr. Konkol reported on the 99E project, PGE's Willamette Falls Industrial Area Request for Determination of Eligibility document which included the Blue Heron site which was available on the City's website, and the June meeting agenda.

5. <u>ADJOURN</u>

Chair Stein adjourned the meeting at 9:39 p.m.



COMMISSION REPORT: CITY OF OREGON CITY

TO:	Planning Commission
FROM:	Tony Konkol, Community Development Director
PRESENTER:	Laura Terway, Planner
SUBJECT:	MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by 7,731 sf and make modifications to landscaping, parking and access.
	MD 11-02: Modification of approved planning files CU 07-07, MP 07-11 and Conditions of Approval to adjust the proposed partition, increase the size of the church parcel by 4000 sf, and accommodate the future alignment of Josephine Street.
Agenda Heading: Public Hea	ring
Approved by: Tony Konkol, (Community Development Director

RECOMMENDED ACTION (Motion):

Staff recommends that the Planning Commission approve the application with conditions.

BACKGROUND:

The purpose of this application is to jointly modify two prior Planning Commission approvals for the South End Fire Station and the Oregon City United Methodist Church (OCUMC) as a concurrent application. The application involves two parcels, 18955 South End Rd (Clackamas County Map 3-1E-01DC-00400) and 19001 South End Road (Clackamas County Map 3-1E-12AB-03200).

Explanation of MD 11-01

The first modification, MD 11-01, modifies the site Plan and Design Review file SP 00-26 and Conditional Use file CU 00-05 for the South End Fire Station parcel to accommodate a future extension for Josephine Street, reduce the parcel size by 7,731 square feet, alter landscaping and eliminate two parking spaces. Review of MD 11-01 is limited to only those items of CU 00-07 and SP 00-26 that are changing, i.e., whether the modification will still comply with parking, circulation, landscaping, and outdoor lighting requirements pertinent to the Fire Station.

Explanation of MD 11-02

The second modification, MD 11-02, modifies Minor Partition file MP 07-11 and Conditional Use file CU 07-07 for the OCUMC site to alter the proposed street network and conditions of approval for CU 07-07 and MP 07-11.

BUDGET IMPACT:

FY(s): Funding Source:

ATTACHMENTS:



Community Development – Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045 Ph (503) 722-3789 | Fax (503) 722-3880

FILE NO.:	MD 11-01: Modification of SP 00-26, CU 00-05 MD 11-02: Modification of CU 07-07, MP 07-11	Application Complete: 8/15/2011
APPLICATION TYPE:	Type III - Planning Commission	120-day Deadline: 12/13/2011
HEARING DATE:	September 26, 2011	
LOCATION:	Oregon City City Hall – Chambers Planning Commission Hearing 615 Center Street, Oregon City, Oregon 97045	
APPLICANTS:	Oregon City United Methodist Church 18955 South End Road Oregon City, OR 97045	Clackamas Fire District #1 11300 SE Fuller Rd Milwaukie, OR 97222
REPRESENTATIVE:	Sisul Engineering, 375 Portland Avenue, Gladstone	e, OR 97027
REQUEST:	MD 11-01: Modification of approved planning files extension of Josephine Street, reduce parcel size b landscaping, parking and access.	
	MD 11-02: Modification of approved planning files Approval to adjust the proposed partition, increas and accommodate the future alignment of Josephi	e the size of the church parcel by 4000 sf,
LOCATION:	18955 South End Rd (Clackamas County Map 3-1E 19001 South End Road (Clackamas County Map 3-	-
REVIEWER:	Pete Walter, AICP, Associate Planner Bob Cullison, Development Services Manager	
RECOMMENDATION:	Approval with Conditions (Exhibit 1).	

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

City of Oregon City | PO Box 3040 | 221 Molalla Avenue, Suite 200 | Oregon City, OR 97045 Ph (503) 722-3789 www.orcity.org commission or the historic review board, all issues are addressed. The decision of the planning commission or historic review board is appealable to the city commission, on the record. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to 17.50.290(c) must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal. The city commission decision on appeal from the historic review board or the planning commission is the city's final decision and is appealable to LUBA within twenty-one days of when it becomes final.

I. BACKGROUND:

The purpose of this application is to jointly modify two prior Planning Commission approvals for the South End Fire Station and the Oregon City United Methodist Church (OCUMC) as a concurrent application. The application involves two parcels, 18955 South End Rd (Clackamas County Map 3-1E-01DC-00400) and 19001 South End Road (Clackamas County Map 3-1E-12AB-03200).

Explanation of MD 11-02

The first modification, MD 11-01, modifies the site Plan and Design Review file SP 00-26 and Conditional Use file CU 00-05 for the South End Fire Station parcel (Exhibit 19) to accommodate a future extension for Josephine Street, reduce the parcel size by 7,731 square feet, alter landscaping and eliminate two parking spaces. Review of MD 11-01 is limited to only those items of CU 00-07 and SP 00-26 that are changing, i.e., whether the modification will still comply with parking, circulation, landscaping, and outdoor lighting requirements pertinent to the Fire Station.

Explanation of MD 11-02

The second modification, MD 11-02, modifies Minor Partition file MP 07-11 and Conditional Use file CU 07-07 (Exhibit 20) for the OCUMC site to alter the proposed street network and conditions of approval for CU 07-07 and MP 07-11.

The minor partition MP 07-11 was originally approved to partition off a separate parcel from the church for a future residential subdivision. That approval also involved a zone change from R-10 to R-8 (which is approved) and a variance request to a variance to the maximum lot sized permitted for a two-lot partition (VR 07-05). MP 07-11 also proposed an extension of Josephine Street through the church property along the eastern side of the fire station to an intersection with South End Road. Following approval of MP 07-11, the City of Oregon City annexed to Clackamas County Fire District #1 and transferred the South End Fire Station to the Fire District. Fire District differed as to the appropriateness of the proposed street network. An alternative alignment has been proposed and endorsed by all parties that would change the proposed Josephine Street extension west along the northwest side of the Fire Station to an intersection with Lafayette Avenue. The proposed modification to MP 07-11 will adjust the dividing line between the two proposed parcels to follow the alternative right-of-way alignment. Instead of partitioning the property into parcels of 4.16 and 3.50 acres, the parcel sizes will now be adjusted by 4,000 sq. ft. to become 4.07 and 3.59 acres, respectively.

Conditional Use CU 07-07 amended the approved conditional use permit for the Methodist Church by allowing a reduction in the size of the site from 7.66 acres to 3.50 acres. Proposed Parcel 2, which will accommodate the Methodist Church, was to become a 3.50 acre parcel, but will now become a 3.59 acre parcel. A modification to CU 07-07 is proposed accordingly. Staff has also prepared recommended modifications to the applicable Conditions of Approval for MD 11-02.

2

For the present, no public facilities or on-site improvements are proposed with either modification. The church and fire station both have approval as conditional uses. The Josephine Street extension would be dedicated and necessary public facilities would be constructed at the time of development of proposed Parcel.

The applicant has included a non-binding shadow plat of the property with this application to show what the future development and ROW alignment might look like.

The church presently has connections for public water and sanitary sewer and these lines could be extended to serve future development on Parcel 1. No change is proposed to the management of storm drainage at this time.

Please refer to the Existing Conditions and Topography Plan, including Utilities (Sheet 2) for locations of existing facilities.

Oak Tree Park

The proposal to cross Oak Tree Park with a public street connection to Lafayette Avenue required approval of the Oregon City resident voters, since the use of a publicly dedicated park property for any other use but for park purposes, requires voter approval pursuant to the City Charter, Section X. The proposal was submitted to the voters of Oregon City for approval as Ballot Measure 3-369 and was approved by the voters at the November 2, 2010 General Election (52.07% Yes : 47.93% No), See Exhibit 18.

II. BASIC FACTS:

A. Location and Current Use

The Fire Station site has frontage on South End Road and has emergency access to South End Road from the front of the Fire Station. A paved driveway connection to Lafayette Avenue provides access to an employee parking area and to the rear of the garage area. In addition to the employee parking area, the fire station also has several parking stalls located along the eastern side of the site that are accessed through the neighboring United Methodist Church. The site is occupied by the South End Fire Station, sidewalks, driveways, parking stalls and a trash enclosure. Several landscaping areas are located around the Fire Station, including a few medium sized trees. The northern portion of the parcel is meadow and is constructed as a grassed detention pond. The detention pond is at the lowest portion of the site and the building is at the highest, although the site in general is flat with slopes of less than 5 percent. Some existing trees and landscaping will be impacted when Josephine Street is extended through the site.

The OCUMC site has frontage and access by way of a single driveway to South End Road. The site also has 30 feet of frontage on Cook Street, to the northwest. South End Road is classified as an arterial street and other local nearby streets are classified as local residential streets. Josephine Street terminates at the north site boundary. The site is nearly flat, and is occupied by the church building (Approximately 24,000 sf footprint), a smaller outbuilding (1500 sf), and an associated parking area with landscaping. No existing trees or landscaping will be impacted by the request.

B. Surrounding Zoning and Land Uses



The CCFD#1 property is zoned R-10 single-family residential, and the OCUMC property is zoned R-8 single-Family Residential. Both uses are approved Conditional Uses in residential zones. Oak Tree Park, where the future local street will connect through to Lafayette Avenue, is an undeveloped city park property, zoned I – Institutional.

The following previous land use applications have been approved on these properties:

CU 96-11	Conditional Use Permit to establish a multi-purpose church facility.
SP 96-42	Site Plan & Design Review to establish a multi-purpose church facility.
MP 00-08	Partition of 8.66 acres into parcels of one acre and 7.66 acres.
CU 00-05	Conditional Use Permit to allow a fire station on one acre.
SP 00-26	Site plan & design review to establish a fire station.
ZC 07-05	Zone Change from R-10 to R-8 for church property.
CU 07-07	Conditional Use permit for church use on a smaller parcel than previously approved.
MP 07-11	Minor Partition of 7.66 acres into parcels of 4.16 and 3.50 acres.
VR 07-05	Variance to setbacks and the maximum permitted lot size in a partition.

C. Public Notice and Comment

First Notice (Incorrect Date)

Notice of the public hearing for the proposal was mailed to property owners within 300 feet of the subject site, and mailed and emailed to the South End Neighborhood Association on August 18, 2011. The notice was advertised in the Clackamas Review on August 24th, 2011. The notice requested comments and indicated that interested parties could testify at the public hearing or submit written comments prior to the hearing.

Second Notice (Correct Date)

Due to an incorrect date on the initial notice, the public notice was sent out a second time.

Notice of the public hearing for the proposal was mailed to property owners within 300 feet of the subject site, and emailed to the South End Neighborhood Association on September 1st, 2011. The notice was re-published in the Clackamas Review on September 7th, 2011. The notice requested comments and indicated that interested parties could testify at the public hearing or submit written comments prior to the hearing.

As of the date of this staff report, the following comments were received:

Norm Stewart, South End Neighborhood Association (SENA) – (Exhibit 13). *The proposal does not conflict with our interests.*

Comments were received from the Oregon City Development Services Manager (Exhibit 10) and have been incorporated into this Staff Report. The Parks and Police departments had no conflicts with the application (Exhibits 11 and 12).

III. DECISION-MAKING CRITERIA:

Chapter 17.56 Conditional Uses

17.56.010 Permit--Authorization--Standards--Conditions.

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;

Finding: *Complies.* The properties are zoned R-10 Single-Family (the fire station) and R-8 Single-Family (OCUMC). Per OCMC 17.10.030.E the fire station is an Emergency Service Facility requiring a Conditional Use Permit to operate in the R-10 zone, and per OCMC 17.08.030, the church is a religious institution requiring a Conditional Use Permit to operate in the R-8 zone.

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

Finding: *Complies.* The size and shape of the parcels will be modified in order to dedicate right-of-way to provide for the future Josephine Street extension. The portion of the site being affected by the street extension is currently either meadow, landscaping or is a paved surface providing vehicular access to the rear of the fire station.

The fire station site's location and topography will not be altered by the proposed modification. The site was chosen as the location for the fire station because it fronted on South End Road which provided for quick and easy access to other locations throughout the South End area. The fire station easily fits onto the existing 1-acre parcel and will fit on the smaller parcel as well. The lot area, lot coverage and the setbacks from the property lines to the structure will all remain within the standards of the R-10 district. The reduction of the site area by approximately 7,731 square feet to allow for Josephine Street to connect to Lafayette Avenue will improve vehicular and pedestrian access to the fire station and to the church from the neighborhood to the north. The fire station's frontage along South End Road is improved with curbs and sidewalks and all public utilities needed to serve the building are already in place. Improvements to Josephine Street and the dedication of the right-of-way are proposed to occur when the rear parcel (Parcel 1) of the United Methodist Church is developed.

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;

Finding: *Complies.* The City's 2004 Comprehensive Plan identified a need for a fire station near South End or Central Point Roads as development approached the City's southern Urban Growth Boundary. The South End Fire Station was originally approved by the City in 2000 in order to help lower the response times from the fire department that exceeded ten minutes in the South End Road area.

The fire station was designed with a vehicular ingress to the fire station from Lafayette Avenue and emergency vehicular egress via South End Road in order to limit traffic impacts on South End Road and to prevent the need for fire trucks to back into the fire station. Extension of Josephine Street along the rear of the fire station to Lafayette Avenue will remain consistent with the original design and will reduce traffic impacts on South End Road by allowing for improved access to the fire station and the United Methodist Church from the neighborhood to the north via two curb cuts on Josephine Street.

All public improvements are in place to serve the fire station. Public and private improvements for the Josephine Street extension are proposed to be completed by the developer of the United Methodist Church parcel when the rear portion of that parcel is developed as a residential subdivision.

The applicant prepared a Traffic Analysis Letter (TAL) for the proposed intersection with Lafayette and how traffic patterns and safety in the vicinity would be affected by a new street intersection and also future subdivision of Parcel 1 (Exhibit 8). The TAL analyzed trip generation, access locations, driveway width, intersection spacing, sight distance, safety issues, consistency with the city's Transportation System Plan (TSP), and operational issues (intersection level-of-service). The report was reviewed by the City's transportation consultant Replinger and Associates. Mr. Replinger's review of the TAL is provided in Exhibit 9. The TAL presents information on trip generation and on the potential for more traffic on the street due to diversion from other routes. It predicts that Josephine Street could carry up to 210

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 15 of 166

6

vehicles per day with 17 trips during the morning peak hour and 22 trips during the event peak hour. Mr. Replinger found these numbers to be reasonable.

Mr. Replinger found that the TAL meets city requirements and provides an adequate basis upon which impacts can be assessed. The connectivity improvements afforded by the extension of Josephine Street would be beneficial for the area. The spacing (approximately 250 feet) along Lafayette Avenue between the new intersection and South End Road is adequate based on the engineer's analysis of sight distance and queuing.

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;

Finding: *Complies.* The area surrounding the South End Fire Station is primarily residential, with single family residences located to the north and across South End Road to the south and southeast. The United Methodist Church is located east and northeast of the fire station and the Oaktree Park, a passive City-owned park, is located west of the fire station.

The South End Fire Station is an existing use that has been located on the site since 2004 and was dedicated as a fire station on July 1, 2008. The fire station is located nearest to South End Road between the United Methodist Church and the Oaktree Park. The design of the firestation structure was reviewed for compatibility with the neighboring United Methodist Church and neighboring residences. Future construction of Josephine Street behind the fire station will further provide a separation and buffer the fire station from the residential parcels in the Oaktree subdivision to the northwest.

The fire station does not and has not limited, impaired, or precluded the use of surrounding parcels as residences.

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

Comprehensive Plan Policies

Section 6 – Quality of Air, Water and Land Resources

Policy 6.4.2: Encourage land-use patterns along high-traffic corridors that minimize noise impacts from motorized traffic through building location, design, size and scale.

Finding: *Complies.* The existing church and fire station along South End Road, a Minor Arterial with a posted 35-mph speed limit, currently help to minimize noise impacts from motorized traffic in the corridor by acting as a buffer between South End Road and the properties to north and west of the subject site. Although the location of the parking lot in front of the church building is not permitted under current code, as part of the approval of the existing church, the parking lot was required to be located in the front of the building to minimize parking lot noise and light impacts on surrounding residential properties. The fire station parking is located to the rear and side of the building as required by current code. The modifications will not significantly alter parking for the fire station or the church. The impacts of new local vehicular traffic generated by a future subdivision on proposed Parcel 1 have been reviewed and found to meet the city's standards (See Exhibits 8 and 9).

Comprehensive Plan Section 11 – Public Facilities

Goal 11.9 Fire Protection Maintain a high level of fife protection and emergency medical services.

8

Policy 11.9.1

Ensure that all areas, including newly annexed areas, receive fire protection and emergency medical services.

Policy 11.9.2

Attempt to maintain the City's Class IV fire insurance rating and work towards achieving a Class III rating, as funds are available.

Finding: *Complies.* The South End Fire Station is one of the elements of the City's plan to ensure that all areas of the City receive a high level of fire protection and emergency medical services. The South End Fire Station serves the growing South End residential community with efficient emergency services.

<u>Comprehensive Plan Section 12 – Transportation</u>

Policy 12.1.4

Provide walkable neighborhoods. They are desirable places to live, work, learn and play, and therefore a key component of smart growth.

Policy 12.6.4

Identify and prioritize improved connectivity throughout the city street system.

Finding: *Complies.* The future extension of Josephine Street through the fire station and United Methodist Church sites to Lafayette Avenue will provide improved connectivity between the South End Road area and the neighborhood located north of the United Methodist Church. This future roadway extension will provide improved vehicular access to the church and the fire station from the neighborhood to the north via driveways along the new roadway. Once sidewalks are constructed as part of the street improvements, pedestrians will have a new walkable route along Josephine Street from Julie Ann Drive to the South End Road area. The city's transportation consultant has determined that the connectivity improvements afforded by the extension of Josephine Street would be beneficial for the area (Exhibit 9).

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.

Finding: *Complies.* The applicant has not requested any restriction, condition or safeguard beyond what is normally required by the city to uphold the spirit and intent of the zoning ordinance and mitigate adverse effects upon neighborhood properties. Staff has recommended conditions of approval that would appear to be appropriate to ensure compliance with the Oregon City Municipal Code.

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. **Finding:** *Complies.* The applicant has provided a detailed explanation of how the dimensional standards of the zone will be met. 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.

Finding: Not applicable. The use of the firestation and the church did not pre-date the effective date of this ordinance.

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. (Ord. 91-1025 §1, 1991; prior code §11-6-1)

Finding: Not applicable. The applicants have not proposed expansions of the approved conditional uses at this time.

17.56.020 Permit--Application.

Finding: *Complies.* The applicant has properly filed the conditional use request and a public hearing will be held before the planning commission.

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.

Finding: Not Applicable. There are no building openings proposed within fifty feet of 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.

Finding: *Complies with conditions.* The applicants have proposed, and will be required to obtain dedication of adequate right-of-way on the fire station parcel at the time of a subdivision application for Parcel 1 by OCUMC or their successors or assigns, to accommodate the future extension of Josephine Street across the rear of the property. The proposed ROW widths appear to be adequate to support future residential development of Parcel 1 and the connectivity requirements of the City's transportation system plan.

The applicant has submitted a letter that outlines the forthcoming agreement between CCFD#1 and OCUMC that will set the terms and conditions between the CCFD#1 and the OCUMC with regards to future street dedication across the Fire District's parcel. Prior to recording of the partition plat for the Church parcel, the applicants will finalize the agreement to ensure that the needed street connection is constructed when and if parcel 1 is developed as housing.

The Applicant shall provide the City with a recorded agreement with the Fire District providing for the dedication of Fire District ROW for this future street. Further compliance with the City's street design standards is discussed in section 12.04 below. Development of either Parcel 1 or 2 will be reviewed to determine the need for additional right-of-way dedication.

The Applicant can meet this criteria by complying with Condition of Approval 1.

17.56.060 Revocation of conditional use permits.

Finding: Not Applicable. No previous conditional use permit is being revoked.

17.56.070 Periodic review of conditional use permits.

Finding: Not Applicable. The site has not been identified as needing a periodic review of a previously issued permit.

16.16 PARTITIONS-PROCESS AND STANDARDS

This modification includes a proposal to partition the church property Tax Lot 3-1E-01DC-00400 into two parcels, Parcel 1 for a future subdivision and parcel 2 for the existing OCUMC buildings and parking lot. Parcel 1 would be 4.07 acres and Parcel 2 would be 3.59 acres. A similar proposal was previously approved by the Planning Commission, Planning File MP 07-11, the primary difference being the local road connection changing from South End Road to Layette Avenue to serve the future subdivision on Parcel 1.

16.16.010.B Size of Partition.

If a parcel of land to be partitioned will create lots large enough to be divided again, the applicant shall provide a hypothetical non-binding plan or "shadow plat" depicting possible future development of the resulting lots. (Ord. 98-1007 §1(part), 1998)

Findings: *Complies.* The applicant submitted a hypothetical, non-binding shadow plat for proposed parcel 1 which indicates a residential subdivision development layout and local street connection between Lafayette Avenue and Josephine Street (Exhibit 7).

16.16.010.C Lot Size Limitations for Partitions.

C. A parcel of land or the aggregate of contiguous parcels under the same ownership containing sufficient net buildable area to be subdivided by the minimum lot size requirements of the underlying zone into four or more lots shall be subject to the Subdivision procedures and standards specified in Chapters 16.08 and 16.12. The calculation of the net buildable area for the parcel or lot to be divided shall be determined by the community development director.

Findings: *Complies.* The applicant has not proposed a subdivision at this time, though the parcel would meet the subdivision requirements identified in this subsection. The applicant has proposed a two-lot partition as permitted in section D below.

16.16.010.D Parcel Requirements.

D. A parcel of land in existence at the time this section was adopted may be partitioned once if solely for the purpose of segregating one separate smaller parcel for an existing or proposed single-family house. The original parcel shall be exempt from the lot size limitation for partitions found in subsection C above. The parcel to be created for the single-family house shall not contain sufficient lot area to allow further partitioning under the standards of the applicable existing zone including the use of administrative variances.

Findings: Complies. Please see the variance request below to demonstrate compliance with this section.

16.16.015 Pre-application Conference Required.

Before the city will accept an application for a partition, the applicant must attend a preapplication conference under Section 17.50.050.

Findings: Complies. The applicant arranged and attended a pre-application conference PA-10-36 with staff.

16.16.020 Partition Application Submission Requirements.

Findings: Complies. The applicant met the submission requirements for a partition application.

16.16.025 - Frontage width requirement.

For parcels of land created by a minor partition the parcels shall have a minimum of twenty feet of frontage on an existing public, county, state or federal road or street (unless as otherwise permitted in OCMC Chapter 16.16). **Findings: Complies.** Proposed Parcel 1 would have adequate frontage on Josephine Street to the north. Parcel 2 would maintain the existing frontage along South End Road.

16.16.030 - Flag lots—R-10, R-8, R-6, and R-3.5.

This code section provides minimum standards for flag lots in partitions where the applicant can show that the configuration, topography, or an existing dwelling unit is located on the property so that it would otherwise preclude the partitioning and development of the property.

Findings: Not Applicable. The applicant has not proposed a flag lot.

16.16.035 Pavement requirements.

Accessways for lots created through the minor partitioning process shall satisfy the requirements of Sections 16.16.040 and 16.16.050. If the proposed accessway exceeds one hundred fifty feet in length the accessway shall conform to Fire District standards and shall be paved to a minimum width of twenty feet unless an alternative is approved by the Planning Division and Fire District. If more than two residences are served, a turnaround for emergency vehicles shall be provided. The turnaround shall be approved by the city engineer and Fire District. Improvements shall comply with Chapter 16.12, Minimum Improvements and Design Standards for Land Divisions.

Findings: *Not Applicable.* The applicant has not proposed private accessways with the partition. Both parcels will have access from a public right-of-way. Fire and emergency vehicle access to the church will remain unchanged. Future subdivision of parcel 1 will create an additional public street and be reviewed for fire access requirements at that time.

16.16.040 - Final recordable partition plat.

If the partition application is approved, the applicant shall prepare a final partition plat that meets all applicable requirements and conditions of the planning manager decision, and the applicable requirements of ORS Chapter 92 and applicable city standards.

Findings: Complies. The parcels to be created will meet the applicable criteria as proposed.

17.60 - VARIANCES

The previously approved partition MP 07-11 of the church parcel was processed concurrently and approved for a variance (VR 07-05) from Section 16.16.010D – Parcel Requirements, which states:

D. A parcel of land in existence at the time this section was adopted may be partitioned once if solely for the purpose of segregating one separate smaller parcel for an existing or proposed single-family house. The original parcel shall be exempt from the lot size limitation for partitions found in subsection C above. The parcel to be created for the single-family house shall not contain sufficient lot area to allow further partitioning under the standards of the applicable existing zone including the use of administrative variances. (Ord. 03-1014, Att. B3 (part), 2003: Ord. 98-1007 §1 (part), 1998)

Although the applicant has not requested to modify the variance, staff recommends that the Planning Commission adopt findings for a variance for the proposed modification as part of this staff report, since the resulting parcel sizes vary slightly with the modification.

The applicant's modification would, just like MP 07-11, create two-parcels that will contain sufficient lot area to allow further portioning under the R-10 or R-8 zoning designation and the partition is proposed to maintain the existing church use on the site rather than an existing single-family dwelling.

Section 17.60.030 Variances—Grounds states that a variance may be granted if the Applicant complies with the following approval criteria:

A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title.

Finding: *Complies*. This standard addresses the adverse impact of the proposal on neighboring properties. The variance to allow two parcels to be created that could be partitioned again under the R-10 or R-8 single family dwelling lot size requirements will have no impact on the adjacent properties. Allowing the partition to occur for an approved church use rather than an existing single-family use will have no impact on the surrounding properties, but would rather allow parcel 2 to be developed with a permitted use rather than a conditional use, which is consistent with the surrounding uses. Any future development on parcel 1 or 2 will either comply with the underlying zoning requirements or request a variance from the standards. Staff finds that this criterion is met.

B. That the request is the minimum variance that would alleviate the hardship.

Finding: *Complies.* The variance is needed in order to accommodate a logical division of the property to allow the existing church use to continue while maximizing the development potential of the unused portions of the property. Staff finds that this criterion is met.

C. Granting the variance will equal or exceed the purpose of the regulation to be modified.

Finding: *Complies.* The intent of section 16.16.010.D is to prevent large, contiguous lots from being partitioned multiple times, negatively impacting the ability to appropriate plan and required construction of pedestrian and vehicular connections. The applicant has proposed to partition the existing site into two-parcels, one with sufficient lot size to accommodate the existing use and a second parcel to be developed as a subdivision at a later date. In addition, the applicant has considered the need for a new street connecting Josephine Street to South End Road and has proposed to purchase property from the city to fulfill this need. The applicant's shadow plat, collaboration with the fire station, and recent voter approval for the road connection all indicate the applicant's intent to comply with the city's street standards and connectivity requirements.

12

D. Any impacts resulting from the adjustment are mitigated;

Finding: Complies. Staff has not identified any impacts associated with the adjustments. This criterion is met.

E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance;

Finding: *Complies*. There are no practical alternatives to alleviate the need for a variance to the maximum lot size permitted during a partition due to the existing building on the site. This criterion is met.

F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.

Finding: *Complies.* One of the primary goals of the 2004 Comprehensive Plan is to provide strong transportation and pedestrian connections throughout the city. Allowing the property to be partitioned will increase the probability of creating a local street connection from Josephine Street to South End Road when development of parcel 1 occurs. The intent of the variance is to allow exceptions when the variance criteria are met and the impacts are negligible or mitigated. It would appear that the intent of the Comprehensive Plan could be satisfied with approval of the proposed variance.

17.62 SITE PLAN & DESIGN REVIEW

The proposed modification would slightly change the landscaping and parking lot behind the fire station, therefore, staff has reviewed the proposal for compliance with the applicable Site Plan and Design Review criteria. The approved Site Plan and Design Review application for the fire station, SP 00-26, is attached to this Staff Report as Exhibit 19.

17.62.030 - When required.

Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6, R-5 and R-3.5 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cottage housing development, multifamily and non-residential uses in all zones. No building permit or other permit authorization for development shall be issued prior to site plan and design review approval. Parking lots and parking areas accessory to uses regulated by this chapter also shall require site plan and design review approval. Site plan and design review shall not alter the type and category of uses permitted in zoning districts.

Finding: *Applies.* Although the extension of Josephine Street across the Fire Station parcel will not affect the structure or its use, the parking area behind the building will require some alteration to permit construction of the new public roadway. Parking lots and parking areas accessory to uses regulated by this chapter require site plan and design review approval. The provisions of Chapter 17.62 apply.

17.62.050.A.1 Landscaping.

1. Landscaping, A minimum of fifteen percent of the lot shall be landscaped. Existing native vegetation shall be retained to the maximum extent practicable. All plants listed on the Oregon City Nuisance Plant List shall be removed from the site prior to issuance of a final occupancy permit for the building.

a. Except as allowed elsewhere in the zoning and land division chapters of this Code, all areas to be credited towards landscaping must be installed with growing plant materials. A reduction of up to twenty-five percent of the overall required landscaping may be approved by the community development director if the same or greater amount of pervious material is incorporated in the non-parking lot portion of the site plan (pervious material within parking lots are regulated in OCMC 17.52.070). b. Pursuant to Chapter 17.49, landscaping requirements within the Natural Resource Overlay District, other than landscaping required for parking lots, may be met by preserving, restoring and permanently protecting native vegetation and habitat on development sites.

c. The landscaping plan shall be prepared by a registered landscape architect and include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.) that within three years will cover one hundred percent of the Landscape area. No mulch, bark chips, or similar materials shall be allowed at the time of landscape installation except under the canopy of shrubs and within two feet of the base of trees. The community development department shall maintain a list of trees, shrubs and vegetation acceptable for landscaping.

d. For properties within the Downtown Design District, or for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the ten percent requirement.

e. Landscaping shall be visible from public thoroughfares to the extent practicable.

f. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum, unless otherwise permitted by the dimensional standards of the underlying zone district.

Finding: *Complies.* Following dedication of the Josephine Street right-of-way, the site area will be reduced to approximately 35,829 square feet, of which, approximately 11,888 square feet will remain as landscaping (not including interior parking lot landscaping). The percentage of landscaping will equal approximately 33 percent of the total site area, well above the 15 percent minimum required.

The interior parking lot area is approximately 8,250 square feet, of which, 1,054 square feet will be landscaping. The percentage of the interior parking lot area that will be landscaped will be approximately 12.8 percent, in excess of the minimum percent required. The landscaping standards of the OCMC can be met.

17.62.050.A.2 Vehicular Access and Connectivity.

Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings. b. Ingress and egress locations on public thoroughfares shall be located in the interest of public safety. Access for emergency services (fire and police) shall be provided.

c. Alleys or vehicular access easements shall be provided in the following Districts: R-2, MUC-1, MUC-2, MUD and NC zones unless other permanent provisions for access to off-street parking and loading facilities are approved by the decisionmaker. The corners of alley intersections shall have a radius of not less than ten feet.

d. Sites abutting an alley shall be required to gain vehicular access from the alley unless deemed impracticable by the community development director.

e. Where no alley access is available, the development shall be configured to allow only one driveway per frontage. On corner lots, the driveway(s) shall be located off of the side street (unless the side street is an arterial) and away from the street intersection. Shared driveways shall be required as needed to accomplish the requirements of this section. The location and design of pedestrian access from the public sidewalk shall be emphasized so as to be clearly visible and distinguishable from the vehicular access to the site. Special landscaping, paving, lighting, and architectural treatments may be required to accomplish this requirement.

f. Development shall be required to provide existing or future connections to adjacent sites through the use of a vehicular and pedestrian access easements where applicable.

g. Parking garage entries (both individual, private and shared parking garages) shall not dominate the streetscape. They shall be designed and situated to be ancillary to the use and architecture of the ground floor. This standard applies to both public garages and any individual private garages, whether they front on a street or private interior access road. h. Buildings containing above-grade structured parking shall screen such parking areas with landscaping or landscaped berms, or incorporate contextual architectural elements that complement adjacent buildings or buildings in the area. Upper level parking garages shall use articulation or fenestration treatments that break up the massing of the garage and/or add visual interest.

Finding: *Complies.* Vehicular ingress to the site will be provided via two driveway connections to Josephine Street. Vehicular egress will include the same two driveways and the existing emergency driveway connection to South End Road that will continue to only be used when emergency vehicles are leaving the fire station. Emergency vehicles

Page 23 of 166

returning to the fire station will enter the garage from Josephine Street on the rear of the building. Employee parking will also be located off this rear accessway. A second driveway access from Josephine Street will be shared by the fire station and the United Methodist Church and will provide improved access to the church and the community parking area for the fire station from the neighborhood north and west of the church.

17.62.050.A.3 Building Structures.

Finding: *Not applicable*. The size, shape, height, color and building materials were all approved with the City's approval of Site Plan 00-26. No alteration of the building is proposed, therefore this criterion does not apply.

17.62.050.A.4 Grading.

Finding: *Complies.* Behind the fire station, Josephine Street will need to match the grade of Lafayette Avenue and will need to attempt to conform with the existing sidewalks and driveways located behind the fire station in order to minimize impacts to the existing improvements. Some minor grading of existing driveways, sidewalks and landscape areas is anticipated to be necessary because the grading for Josephine Street will have to allow for drainage of the new street consistent with City Public Works standards. With the site grades being under 5 percent, the need for significant grading is not anticipated. This will be reviewed at the time a residential subdivision is proposed for Parcel 1 of the church parcel.

17.62.050.A.5 Geologic Hazards.

Finding: Not applicable. The site is not located within the city's adopted Geologic Hazard Overlay District.

17.62.050.A.6 Drainage.

Finding: *Complies.* Existing impervious surfaces on the fire station site drain to a multitude of inlets where the water is collected and transported through pipes to a detention pond facility shared by the Fire Station and the United Methodist Church. Following the extension of Josephine Street through the site, site drainage will continue to be directed to the detention pond facility, although some of piping may have to be altered in order to allow for the public street and utility construction. It is anticipated that when Parcel 1 of the United Methodist Church site is developed, the existing detention pond facility may have to be upsized to accommodate the drainage from the additional development, including the new portion of Josephine Street being constructed. Stormwater calculations can be provided with the application for development of Parcel 1.

17.62.050.A.7 Off-Street Parking.

Finding: *Complies.* The parking code does not specify parking requirements for fire stations. In the application for Site Plan 00-26, the applicant stated that employee parking would be provided behind the building to accommodate shift changes plus public parking spaces adjacent to the church's parking lot would also be provided. The South End Fire Station is staffed with a company officer and an apparatus operator who work 24-hour shifts. There are currently 6 spaces behind the fire station and 10 spaces along the side of the fire station under joint use by the fire station and the church. The six rear spaces would be reduced to four spaces which the applicant indicates are necessary to accommodate shift changes. Under MP 07-11, the parking along the side of the building would have been lost to make way for the street connection to South End Road. With the proposed modification, the parking along the side of the building would be unchanged. At the time of development of the street connection across the rear of the fire station, the applicant will provide a revised landscaping plan for the fire station parking in accordance with OCMC 17.52.070.

17.62.050.A.8 - Sidewalks & Curbs.

Finding: *Complies.* Findings for the applicable street design criteria in Chapter 12.04 and Chapter 12.08 are provided later in this report. Public street, curb and sidewalk improvements were constructed along the South End Road frontage of the parcel at the time that the South End Fire Station was constructed. Street, curb and sidewalk improvements for Josephine Street through the fire station property will be necessary when the rear portion of the United Methodist Church property is developed and Josephine Street is extended to Lafayette Avenue. Plans identifying street, curb and sidewalk improvements for conformance with city standards and widths required in the Oregon City TSP.

17.62.050.A.9 Pedestrian Circulation.

Finding: *Complies.* Pedestrian walkways are currently located along South End Road and along all site parking stalls that provide access from the public right-of-way and parking areas to building entrances and exits. A new public sidewalk will be constructed along the south side of Josephine Street that will connect to the existing onsite pedestrian walkway network and will further facilitate pedestrian circulation to the building from Josephine Street and the future neighborhood that will be located behind the church.

17.62.050.A.10 Maintenance of facilities.

Finding: *Complies.* The owner of the fire station is responsible for on-going maintenance and upkeep of all landscaping and improvements onsite. When Josephine Street is constructed, the owner will be responsible for maintaining any new planter strips located onsite. The City will own Josephine Street and will be responsible for its maintenance.

17.62.050.A.11 Tree Protection.

Finding: Tree protection is discussed earlier in this narrative in response to Chapters 12.08 and 17.41.

17.62.050.A.12 Natural Resource Protection.

Finding: Not applicable. The property is not located within the Natural Resources Overlay District.

17.62.050.A.13 Federal, state and city standards.

Finding: The proposal will not alter the building or its use as a fire station. No other permits are known to be required.

17.62.050.A.14 Public water and sewer.

Finding: *Complies.* The building is currently served by City water and sanitary sewer. No changes to the water and sanitary sewer service to the building are anticipated, although a portion of the 8-inch public waterline that runs behind the fire station may have to be re-located with the construction of Josephine Avenue. This connection can be reviewed by the City Engineer at the time of construction plan review for Josephine Street.

17.62.050.A.15 Right of way and streets.

Finding: *Complies.* Adequate right-of-way and improvements to streets are discussed below in response to Section 12.04, Streets, Sidewalks and Public Places.

17.62.050.A.20 Screening of Mechanical Equipment.

Finding: Not Applicable. The proposal will not alter the building or the screening of the mechanical equipment.

17.62.050.A.21 Building Materials.

Finding: Not Applicable. The proposal will not alter the existing building.

17.62.050.A.22 Conditions of Approval

Finding: Staff has recommended appropriate Conditions of Approval for this project.
17.62.055 Institutional and commercial building standards.
Finding: The proposal will not alter the existing buildings. The provisions of this section do not apply.

CHAPTER 12.04 STREETS, SIDEWALKS AND PUBLIC PLACES.

12.04.010 - Construction specifications-Improved streets.

All sidewalks hereafter constructed in the city on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan. The curb shall be constructed at the same time as the construction of the sidewalk and shall be located as provided in the ordinance authorizing the improvement of said street next proceeding unless otherwise ordered by the city commission. Both sidewalks and curbs are to be constructed according to plans and specifications provided by the city engineer.

Finding: *Complies.* Public street, curb and sidewalk improvements were constructed along the South End Road frontage of the parcel when the South End Fire Station was constructed. Public street curb and sidewalk improvements were previously constructed along the South End Road frontage of Parcel 2. No new curb or sidewalk improvements will be necessary for that parcel. Curb and sidewalk improvements for Josephine Street will be necessary when the rear portion of the United Methodist Church property is developed and Josephine Street is extended through the fire station parcel to Lafayette Avenue. Plans identifying street, curb and sidewalk improvements for conformance with city standards and widths required in the Oregon City TSP.

12.04.[0]25 - Street design—Curb cuts.

A. To assure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, such as a cul-de-sac or dead-end street, the decision maker shall be authorized to minimize the number and size of curb cuts (including driveways) as far as practicable pursuant to this section.

Where the decision maker determines any of these situations exist or may occur due to approval of a proposed development, driveway curb cuts shall be limited to those widths as approved by the public works street standard drawings. Shared residential driveways shall be limited to twenty-four feet in width adjacent to the sidewalk and property line and may extend to a maximum of thirty feet abutting the street pavement to facilitate turning movements. Non-residential development driveway curb cuts in these situations shall be limited to those widths as approved by the public works street standard drawings or as approved by the city engineer upon review of the vehicle turning radii based on a professional engineer's design submittal.

Finding: *Complies.* The applicant proposes two future curb cuts on Josephine Street within the fire station parcel. A forty-foot wide curb cut will provide access to the rear of the fire station garage and a twenty-four foot wide driveway (of which approximately fifteen feet will be on the Fire District parcel) will provide access to the community parking spaces on the eastern portion of the parcel and the United Methodist's Church parking lot. A more detailed plan providing additional street and curb cut information and details can be provided to the City at the time of the street

improvement. No new curb cuts are proposed as a part of the minor partition, however, new curb cuts will be necessary along the extension of Josephine Street through Parcel 1 at the time Parcel 1 is subdivided. A plan detailing curb cut locations and widths along Josephine Street shall be provided to the City at the time of subdivision.

12.04.045 - Street Design—Constrained local streets and/or rights-of-way.

Any accessway with a pavement width of less than thirty-two feet shall require the approval of the city engineer, community development director and fire chief and shall meet minimum life safety requirements, which may include fire suppression devices as determined by the fire marshal to assure an adequate level of fire and life safety. The standard width for constrained streets is twenty feet of paving with no on-street parking and twenty-eight feet with on-street parking on one side only. Constrained local streets shall maintain a twenty-foot wide unobstructed accessway. Constrained local streets and/or right-of-way shall comply with necessary slope easements, sidewalk easements and altered curve radius, as approved by the city engineer and community development director.

Table 12.04.045							
STREET DESIGN STANDARDS FOR LOCAL CONSTRAINED STREETS							
Minimum Required							
Type of Street	Right-of-way	Pavement Width					
Constrained local street	20 to 40	20 to less than 32 feet					

Finding: *Complies.* No street improvements are proposed as a part of the current proposal to modify the approved minor partition and conditional use. Improvements to extend Josephine Street across the Fire District property and through Oaktree Park to Lafayette Avenue will occur when Parcel 1 of the United Methodist Church property is subdivided. The citizens approved the dedication of park property for the ROW across Oaktree Park and the dedication was accepted by the City Commission on April 20, 2011. A street will be designed and constructed across the fire station and park parcels at the time of Parcel 1 development.

12.04.170 Street design-Purpose and general provisions.

All development shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the city's public facility master plan and city design standards and specifications. In reviewing applications for development, the city engineer shall take into consideration any approved development and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated with any development must be reviewed and approved by the city engineer prior to construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction.

Finding: *Complies.* The proposal to modify the Site Plan and Conditional Use approvals for the fire station will allow for the extension of Josephine Street and public utilities from the north line of the church property near Julie Ann Drive south and west to Lafayette Avenue. This local street connection will provide a needed connection, consistent with adopted plans and policies, and will allow for the remainder of the United Methodist Church property to develop. A formal review of the street and utility design for Josephine Street can occur with an application for subdivision of Parcel 1 of the United Methodist Church property.

12.04.175 Street design-Generally.

The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and

pedestrian/bicycle accessways, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. Where location is not shown in the development plan, the arrangement of streets shall either:

A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;
B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Access control in accordance with section 12.04.200 shall be required to preserve the objectives of street extensions.

Finding: *Complies.* The proposed modification to the approved Site Plan will allow the Josephine Street stub to continue and to be extended from its current point of termination near Julie Ann Drive though the church parcel, the fire station parcel, and the Oaktree Park to connect with Lafayette Avenue at a near 90 degree angle. Conformance with other design criteria above shall be reviewed when a street design for Josephine Street is included with an application for subdivision of United Methodist Church Parcel 1.

12.04.180 Street design-Minimum right-of-way.

All development shall provide adequate right-of-way and pavement width. Adequate right-of-way and pavement width shall be provided by:

A. Complying with the street design standards contained in the table provided in Chapter 12.04. The street design standards are based on the classification of streets that occurred in the Oregon City Transportation System Plan (TSP), in particular, the following TSP figures provide the appropriate classification for each street in Oregon City: Figure 5-1: Functional Classification System and New Roadway Connections; Figure 5-3: Pedestrian System Plan; Figure 5.6: Bicycle System Plan; and Figure 5.7: Public Transit System Plan. These TSP figures from the Oregon City Transportation System Plan are incorporated herein by reference in order to determine the classification of particular streets.

B. The applicant may submit an alternative street design plan that varies from the street design standards identified above. An alternative street design plan may be approved by the city engineer if it is found the alternative allows for adequate and safe traffic, pedestrian and bicycle flows and transportation alternatives and protects and provides adequate multi-modal transportation services for the development as well as the surrounding community.

Table 12.04.020 STREET DESIGN STANDARDS						
Type of Street Maximum Right-of-Way Width Pavement Width						
Major arterial	124 feet	98 feet				
Minor arterial	114 feet	88 feet				
Collector street	86 feet	62 feet				
Neighborhood Collector street	81 feet	59 feet				
Local street	54 feet	32 feet				
Alley	20 feet	16 feet				

12.04.180	- Street design-	-Minimum	riaht-of-way.

Finding: *Complies.* Between Lafayette Avenue and the United Methodist Church parcel, Josephine Street is proposed to have a varying street width varying from 28 to 32 feet and a right-of-way width varying from 40 to 53 feet. Both the proposed street and right-of-way widths are less than the maximums permitted by Table 12.04.020. Pedestrian traffic will be facilitated by construction of a five-foot curb-tight sidewalk along the south side of Josephine Street. This will be reviewed in more detail when a subdivision on Parcel 1 is proposed.

12.04.185 Street design-Access control

A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the city as a city controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property. B. The city may grant a permit for the adjoining owner to access through the access control.

C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."

D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."

Finding: *Complies.* Access control shall be reviewed at the time of dedication of new street right-of-way. Two points of access are proposed to serve the fire station, one to serve the employee parking lot and the rear garage area and a second to serve the parking lot shared by the fire station and the church on the east side of the fire station.

12.04.190 - Street design—Alignment.

The centerline of streets shall be:

A. Aligned with existing streets by continuation of the centerlines; or

B. Offset from the centerline by no more than ten feet, provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the offset intersection will not pose a safety hazard.

Finding: *Not applicable.* The intersection of Josephine Street with Lafayette Avenue will be a three-legged intersection with no street located opposite of Josephine Street. This section will not apply.

12.04.195 - Minimum street intersection spacing standards.

A. All new development and redevelopment shall meet the following Public Street Intersection Spacing Standards:

Table 12.04.040—Public Street Intersection Spacing Standards

10	ible 12.04.040—Public Street Intersection Spacing Standards								
	Distance in Feet between Streets of Various Classifications								
	Between Arterial and Arterial	Between Arterial and Collector	Between Arterial and Neighborhood Collector	Between Arterial and Local Street	Between Collector Street and Collector Street	Between Collector Street and Neighborhood Collector	Between Collector and Local Street	Between Neighborhood Collector and Local Street	Between two adjacent Local Streets
Measured along an Arterial Street	1320	800	600	300	600	300	150	150	150
Measured along a Collector Street	800	800	600	300	600	300	150	150	150
Measured along a Neighborhood Collector Street	800	600	300	300	300	150	150	150	150

Measured along a Local	600	600	300	300	300	150	150	150	150
Street									
Note: With regard to public is streets. In this table, the term							arterial an	d minor art	erial

21

or

B. A lesser distance between intersections may be allowed, provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the reduction in intersection spacing will not pose a safety hazard.

Finding: *Complies.* This standard was analyzed in the applicant's Traffic Analysis Letter (Exhibit 8) and reviewed by the City's Transportation Consultant, Replinger and Associates (Exhibit 9). South End Road is identified as an arterial street, while Lafayette Avenue and Josephine Street are identified as local streets, thus typically requiring an intersection spacing of 300'. The proposal will create a new intersection on Lafayette Avenue approximately 250 feet from South End Road. This is slightly less than the city's standard of 300 feet, but the applicant's engineer provides adequate rationale in support of the proposal. The selected location is as far from South End Road as is possible given the existing development and parcel size. The applicant's engineer has also analyzed the sight distance and queue storage associated with the new intersection and distance from South End Road. In both cases the distance is shown to be adequate. Mr. Replinger found that the applicant's engineer provides justification for the city engineer to accept the proposed intersection location.

12.04.200 - Street design—Constrained local streets and/or rights-of-way.

Finding: Please see findings under section 12.04.045 above.

12.04.205 - Intersection level of service standards.

When reviewing new developments, the City of Oregon City requires all relevant intersections to be maintained at the minimum acceptable Level Of Service (LOS) upon full build-out of the proposed development. The minimum acceptable LOS standards are as follows:

A. For signalized intersection areas of the city that are located outside the Regional Center boundaries a LOS of "D" or better for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of critical movements.

B. For signalized intersections within the Regional Center boundaries a LOS "D" can be exceeded during the peak hour; however, during the second peak hour, LOS "D" or better will be required as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0.

C. For unsignalized intersection throughout the city a LOS "E" or better for the poorest approach and with no movement serving more than twenty peak hour vehicles operating at worse than LOS "F" will be tolerated for minor movements during a peak hour.

Finding: *Complies.* Although not required for compliance with the applicable approval criteria for this proposal, since no subdivision has been proposed at this time, the applicant's Engineer did perform an analysis of the operations of the intersection of South End/Partlow/Lafayette. The report (Exhibit 8) includes a review of trip generation for a likely future development of 14 single family homes, as well as a safety analysis of the intersection of South End Road/Partlow/Lafayette. The report indicates that the northwest-bound Partlow Road approach is predicted to experience level of service (LOS) C and E for left turns during the AM and PM peak hours, respectively. However, the southeast-bound Lafayette Avenue approach is predicted to experience LOS C during both the AM and PM peak hours. The Lafayette Avenue approach is likely to be the only approach significantly impacted by the proposed Josephine Street extension. The City's Transportation Cunsultant Replinger and Associates does not view the prediction of poor performance for left turns from Partlow Road to be relevant to the approval criteria for this proposal, especially since left turns from Partlow Road to South End Road will not use the proposed Josephine Street extension.

12.04.210 - Street design—Intersection angles.

Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the city engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point. Finding: Complies. The proposed intersection of Josephine Street with Lafayette Avenue will occur at a near right angle and will have a tangent prior to the intersection of more than 100 feet.

12.04.215 - Street design—Off-site street improvements.

During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the city's applicable planned minimum design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.

Finding: *Complies.* When Parcel 1 of the United Methodist Church property is subdivided, Josephine Street will be extended from its current point of termination near Julie Ann Drive through the church property, across the South End Fire Station property and Oaktree Park to intersect with Lafayette Avenue.

This road extension will require the applicant for subdivision at that time to provide two off-site street improvements, one on Fire Station property (3-1E-01DC-00403) and the other on the Oak Tree city park property 3-1E-12AB-03200, since the portion of Josephine Street located west of the United Methodist Church property will be beyond the subdivision boundary. No other off-site improvements are anticipated, however, this decision shall be reviewed by the City when development of Parcel 1 is being proposed.

12.04.230 Street design-Street names.

Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names shall conform to the established standards in the city and shall be subject to the approval of the city.

Finding: *Complies*. It is anticipated that no new street names will be necessary; however, this shall be reviewed with an application for subdivision of Parcel 1.

12.04.235 Street design-Grades and curves.

Finding: *Complies.* Conformance with the city's design standards and specifications for new streets shall be reviewed when a street design is included with a development application for Parcel 1.

12.04.245 Street design-Pedestrian and bicycle safety.

Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by non-local automobile traffic.

Finding: *Complies.* These design elements can be reviewed when a street design for Josephine Street is included with an application for subdivision of Parcel 1.

12.04.265 Street Design-Planter strips.

All development shall include vegetative planter strips that are five feet in width or larger and located adjacent to the curb. This requirement may be waived or modified if the decision maker finds it is not practicable. The decision maker may permit constrained sites to place street trees on the abutting private property within 10 feet of the public right-of-way ifa covenant is recorded on the title of the property identifying the tree as a city street tree which is maintained by the property owner.

Development proposed along a collector, minor arterial, or major arterial street may use tree wells with root barriers located near the curb within a wider sidewalk in lieu of a planter strip, in which case each tree shall have a protected area to ensure proper root growth and reduce potential damage to sidewalks, curbs and gutters.

To promote and maintain the community tree canopy adjacent to public streets, trees shall be selected and planted in planter strips in accordance with Chapter 12.08, Street Trees.

Individual abutting lot owners shall be legally responsible for maintaining healthy and attractive trees and vegetation in the planter strip. If a homeowners' association is created as part of the development, the association may assume the maintenance obligation through a legally binding mechanism, e.g., deed restrictions, maintenance agreement, etc., which shall be reviewed and approved by the city attorney.

Failure to properly maintain trees and vegetation in a planter strip shall be a violation of this code and enforceable as a civil infraction.

Finding: *Complies.* The applicant indicates that the Fire District desires to provide for an extension of Josephine Street across the fire station property to provide additional local connectivity. The Fire District is willing to grant right-of-way, but desires to maintain adequate onsite space for employee parking and its operating needs. In order to minimize the impact to the fire station and the neighboring Oaktree Park, the street section across the two parcels includes a constrained 28-foot wide street width with a 5' curb-tight sidewalk on the fire station side of the street only. Limiting the area of impact will preserve existing landscaping and vegetation that exists beyond the proposed right-of-way.

The street section crossing Oak Tree Park will include trees planted behind a curb-tight sidewalk, design to be determined at the time of subdivision approval on Parcel 1. The street section crossing the Fire Station property will shall include a curb tight sidewalk on the fire station (south) side of the street and a detached sidewalk with planter strip on the north side of the street. Planter strip widths for the remainder of Josephine Street shall be determined when the final street alignment has been chosen and submitted to the City for review with an application for subdivision of Parcel 1 of the church property.

Chapter 12.08 - Public and Street Trees

12.08.015 Street tree planting and maintenance requirements.

All new construction or major redevelopment shall provide street trees adjacent to all street frontages. Species of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List or be approved by a certified arborist. If a setback sidewalk has already been constructed or the Development Services determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed within the front yard setback, exclusive of any utility easement.

A. One street tree shall be planted for every thirty-five feet of property frontage. The tree spacing shall be evenly distributed throughout the total development frontage. The community development director may approve an alternative street tree plan if site or other constraints prevent meeting the placement of one street tree per thirty-five feet of property frontage. B. The following clearance distances shall be maintained when planting trees:

1. Fifteen feet from streetlights;

2. Five feet from fire hydrants;

3. Twenty feet from intersections;

24

4. A minimum of five feet (at mature height) below power lines.

C. All trees shall be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications.

D. All established trees shall be pruned tight to the trunk to a height that provides adequate clearance for street cleaning equipment and ensures ADA complaint clearance for pedestrians.

Finding: *Complies.* Street tree locations along the extension of Josephine Street shall be determined and approved with the street design for Josephine Street proposed with an application for subdivision of Parcel 1. The future street section crossing Oak Tree Park shall include trees planted behind a curb-tight sidewalk, and the deisgn of the street section will be determined at the time a subdivision is proposed on Parcel 1.

CHAPTER 17.41 TREE PROTECTION STANDARDS.

17.41.020 Tree protection-Applicability.

1. Applications for development subject to Chapters 16.08 or 16.12 (Subdivision or Minor Partition) or Chapter 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments.

2. For public capital improvement projects, the city engineer shall demonstrate compliance with these standards pursuant to a Type II process.

3. Tree canopy removal greater than twenty-five percent on sites greater than twenty-five percent slope, unless exempted under Section 17.41.040, shall be subject to these standards.

4. A heritage tree or grove which has been designated pursuant to the procedures of Chapter 12.08.050 shall be subject to the standards of this section.

Finding: *Complies.* The current proposal will modify an approved minor partition and conditional use for the United Methodist Church. No development is proposed at this time, and no trees will be removed until a street is contructed subsequent to further subdivision review.

The current proposal will modify an earlier approved minor partition and conditional use for the United Methodist Church. The minor partition is intended to divide the church property into two parcels, one to be occupied by the church (Parcel 2) and a second vacant parcel (Parcel 1) that can be subdivided at a later date. The applicant's shadow plat indicates that 4 deciduous trees between 6" – 12" in diameter would be impacted by construction of the road, therefore the number of mitigation trees that would be required, pursuant to Table 17.41.060-1 would be four (4). The review for the removal and the permanent retention of trees should be deferred and considered when the subdivision of Parcel 1 is proposed. At that time, the street alignment will be known, construction areas can be determined, and the possible establishment of dedicated tree preservation tracts or restrictive covenants could be considered. The applicant shall provide a final analysis of tree removal for review by Staff when the final design of road extension and subdivision layout is submitted as part of the future subdivision application. The applicant has indicated a willingness to preserve all trees onsite until a development proposal us submitted and the City can review the future proposal to determine if the future proposal is saving the trees to the maximum extent practicable.

CONCLUSION AND RECOMMENDATION

The Community Development Director finds that the proposed land use application, as proposed by the applicant and reviewed in this staff report, meets, or can meet through compliance with the attached recommended conditions of approval, the applicable approval criteria of the Oregon City Municipal Code.

Therefore, the Community Development Director recommends that the Planning Commission approve MD 11-01: Modification of approved planning files SP 00-26, CU 00-05; and MD 11-02: Modification of approved planning files CU 07-07, MP 07-11 with conditions as attached in Exhibit 1.

EXHIBITS

The following exhibits are attached to this staff report.

- 1. Recommended Conditions of Approval
- 2. Vicinity map*
- 3. Application Materials for MD 11-01 (CCFD#1 Fire Station)*
- 4. Application Materials for MD 11-02 (OCUMC Church Parcel)*
- 5. Pre-application Conference Summary PA 10-36*
- 6. Letter Outlining Forthcoming Agreement between CCFD#1 and OCUMC, dated July 8, 2007*
- 7. Applicant's Site Plans (3 Sheets)*
- 8. Applicant's Transportation Analysis Letter (TAL), prepared by Michael Ard, P.E., dated March 16, 2011*
- 9. Replinger and Associates Review of Applicant's TAL, dated September 10, 2011*
- 10. Oregon City Public Works Department comments (No Conflicts)*
- 11. Oregon City Parks Manager Comments (No Conflicts)*
- 12. Oregon City Police Department Comments (No Conflicts)*
- 13. Comments from South End Neighborhood Association (No Conflicts), dated 9/12/2011*
- 14. Copy of Partition Plat No. 2001-032 (Minor Partition MP 00-08)*
- 15. Public Notice (Newspaper)*
- 16. Public Notice (Mailed)*
- 17. Agreement Regarding Right-of-Way and Public Utility Easement between CCFD#1 and OCUMC, dated September 14, 2011, signed by Ed Kirchhofer, CCFD#1 Fire Chief*
- 18. Ballot Measure 3-369 with Election Results*
- 19. Copy of Planning Files SP 00-26 and CU 00-05 for South End Fire Station*
- 20. Copy of Planning Files CU 07-07, MP 07-11, VR 07-05, ZC 07-05 for Oregon City United Methodist Church*

Items marked with an asterisk * are on-file and may be reviewed upon request at the Planning Division.

Recommended Conditions of Approval MD 11-01 / MD 11-02 Planning Commission Hearing: September 26, 2011

1. The applicant has submitted a letter that outlines the forthcoming agreement between CCFD#1 and OCUMC that will set the terms and conditions between the CCFD#1 and the OCUMC with regards to future street dedication across the Fire District's parcel. The agreement is close to being finalized but some final details have to be cleared up and agreed to by both Board of Directors of CCFD#1 and OCUMC. Prior to recording of the partition plat for the Church parcel, the applicants shall finalize the agreement to ensure that the needed street connection is constructed when and if parcel 1 is developed as housing. The Applicant shall furnish a recorded copy of the agreement for future dedication.




4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by Page 37 of 166

100	FILE CUPY	100 000
ALON	CITY OF OREGON CITY	(ALA)
	LAND USE APPLICATION	
City of Oregon	City, Community Development Department, 221 Molalla Ave., Ste. 200, P.O. Box 3040, Oregon City, OR 97	045, (503) 722-37

TT (000 10 10 00 000 D

Type I (OCMC 17.50.050.A) Compatibility Review Nonconforming Use review Water Resources Exemption	 Ivpe In (OCMC 17.50.030.B) Extension Detailed Development Review Geotechnical Hazards Minor Partition Minor Site Plan & Design Review Nonconforming Use Review Site Plan and Design Review Subdivision Minor Variance Water Resource Review 	 Annexation Code Interpretation / Similar Use Concept Development Plan Conditional Use Comprehensive Plan Amendment (Text/Map) Detailed Development Plan Historic Review Oregon City Municipal Code Amendment Variance Zone Change
Application Number		
Proposed Land Use or Activity:	Modification of Site Plan SP 00-26 & Condition	nal Use CU 00-05 to accommodate a future extension for
	ld reduce the size of the parcel by 7,731 sf and w	
Project Name: _South End Fire Stat	ionNumbe	r of Lots Proposed (If Applicable):
Physical Address of Site:		
	Lot Number(s): <u>3 1E 1DC</u> , Tax Lot 403	
Applicant(s): Applicant(s) Signature:	res Q. Chaver	
Tippucantelo) a tanto a timelorg	egon City United Methodist Church	Date:/10///
Mailing Address:18955 South E		
Phone:(503) 656-5835 (Martha W	(503) 657-1811 (OCUMC)	Email: M_Wickliffe@msn.com
Property Owner(s): Property Owner(s) Signature;		
	1: Clackamas Fire District #1 Administration, Fire (Chief Ed Kirchhofer Date: 7/7/11
Mailing Address:11300 SE Fulle	er Road, Milwaukie, OR 97222	
Phone: (503) 742-2600	Fax: (503) 742-2800	Email: EDKIR@CCFD1.com
Representative(s):	Hampel Ling	1

Representative(s) Signature: 1 Journey Date: 7-8-2011 Tom Sisul, PE Sisul Engineering Representative (s) Name Printed: ____ Mailing Address: ______ 375 Portland Avenue, Gladstone, OR 97027 Ernail: tomsisul@sisulengineering.com Fax: (503) 657-5779 Phone: ____(503) 657-0188

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exclusits herewith are correct and indicate the parties willingness to comply with all code requirements.

www.orcity.org

÷

Application for Modification of Site Plan and Conditional Use Approval

Applicant	United Methodist Church 18955 South End Road Oregon City, OR 97045 (503) 656-3433 Contact: Martha Wickliffe (503) 656-5835
Property Owner	Clackamas Fire District #1 Administration 11300 SE Fuller Road Milwaukie, Oregon 97222 (503) 742-2600 Fire Chief, Ed Kirchhofer
Representative	Sisul Engineering. 375 Portland Avenue Gladstone, OR 97027 (503) 657-0188 Contact: Tom Sisul
Location	19001 South End Road
Legal Description	Tax Lot 403, 3 1E 1DC
Zoning	R-10
Comprehensive Plan	Low Density Residential
Site Size	43,560 sf
Proposal	Modification of approved Site Plan SP 00-26 and Conditional Use CU 00-05 to accommodate a future extension for Josephine Street across the fire station property. The proposed dedication would reduce the size of the fire station parcel by 7,731 sf, would alter the Fire Station's rear access from Lafayette Avenue and would modify landscaping, parking and access to the rear of the fire station.

Page 1

Site Description

The site is located in the southeastern part of Oregon City, west of South End Road and south of Warner Parrott Road near the intersection of South End Road, Partlow Road and Lafayette Avenue.

The site has frontage on South End Road and has emergency access to South End Road from the front of the Fire Station. A paved driveway connection to Lafayette Avenue provides access to an employee parking area and to the rear of the garage area. In addition to the employee parking area, the fire station also has several parking stalls located along the eastern side of the site that are accessed through the neighboring United Methodist Church. The church site has a single driveway accessing South End Road. South End Road is classified as an arterial street and Lafayette Avenue is classified as a local residential street.

The site is occupied by the South End Fire Station, sidewalks, driveways, parking stalls and a trash enclosure. Several landscaping areas are located around the Fire Station, including a few medium sized trees. The northern portion of the parcel is meadow and is constructed as a grassed detention pond. The detention pond is at the lowest portion of the site and the building is at the highest, although the site in general is flat with slopes of less than 5 percent. Some existing trees and landscaping will be impacted when Josephine Street is extended through the site.

The site is bordered by single-family residences and a park to the south and west located within the Oaktree Subdivision. The United Methodist Church borders the site to the north and east. Lots located across Lafayette Avenue to the west and across South End Road to the south and east are generally a mix of single family dwellings or vacant lots within subdivisions or large lots.

Adjacent properties are all either zoned R-8 or R-10. With the notable exception of the United Methodist Church parcel, surrounding properties are generally developed with single family homes and very few undeveloped (or underdeveloped) properties remain in this area.

Previous Actions: CU 00-05; Conditional Use Permit to allow a fire station on one acre

SP 00-26; Site plan & design review to establish a fire station

Page 2

Proposal

In 2001, the City of Oregon City approved Site Plan SP 00-26, allowing for the development of the site as a fire station. The applicant proposes to modify the approved site plan in order to allow for the future extension of Josephine Street through the rear of the parcel. The proposed modification will alter landscaping, parking, and access on the rear of the building although the building and the majority of the site improvements would remain unchanged.

Conditional Use CU 00-05 allowed the use of a fire station on a parcel of one acre in size in the R-10 zone. The applicant proposes to modify the approval of File No. CU 00-05 to allow for a reduction in the parcel area and to allow for a modification of the site access in order to accommodate the future extension of Josephine Street. Extending Josephine Street across the fire station parcel will require a right-of-way dedication that will reduce the parcel size by approximately 7,731 square feet, reducing the site area from 43,560 square feet to approximately 35,829 square feet. The right-of-way will divide the site into two pieces of 5,938 and 29,891 square feet.

The extension of Josephine Street across the fire station parcel will modify access to the South End Fire Station, although the emergency driveway connection to South End Road will remain unchanged. Currently, access to the rear garage area and the employee parking area is provided via a paved driveway connection to Lafayette Avenue. This driveway will be removed to allow for the construction of Josephine Street in the same general location. Access to the rear of the station will be altered from the paved driveway to a 40-foot wide curb cut on Josephine Street. A second proposed driveway approach on Josephine Street will be shared by the fire station and the United Methodist Church and will provide access to the parking lot that they share on the east side of the fire station. The new driveway connection to Josephine Street will allow for neighborhood residents living north of the fire station to access the Church and Fire Station via Josephine Street without having to use South End Road. Currently, the church parking lot and these parking stalls can only be accessed through the church parking lot via the church's driveway on South End Road.

For the present, no public facilities or on-site improvements are proposed. The church and fire station both have approval as conditional uses and the modification of these conditional use approvals are being sought in order to accommodate the future Josephine Street extension. Approval of the Site Plan and Conditional Use modifications would allow for the Josephine Street extension to be dedicated and constructed at the time of development of the rear portion of the Church property (proposed Church parcel 1).

The fire station presently is connected to the City of Oregon City water, sewer and storm drainage systems. Some onsite private utilities and some surrounding public utilities may have to be adjusted during the construction of Josephine Street in order to allow for the installation of the new street and the public utilities within the street.

Page 3

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 41 of 166

Applicable Criteria and Standards

Applicable criteria and standards of the Oregon City Municipal Code ("OCMC") include the following:

Title 12Streets, Sidewalks and Public PlacesTitle 17Zoning

Requirements of Titles 12 and 17 will be reviewed in this narrative. Generally, Code provisions are indicated by bold italics, with the applicant's response in plain text.

Page 4

Chapter 12.04 Streets, Sidewalks and Public Places.

12.04.010 - Construction specifications—Improved streets.

All sidewalks hereafter constructed in the city on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan. The curb shall be constructed at the same time as the construction of the sidewalk and shall be located as provided in the ordinance authorizing the improvement of said street next proceeding unless otherwise ordered by the city commission. Both sidewalks and curbs are to be constructed according to plans and specifications provided by the city engineer.

Public street, curb and sidewalk improvements were constructed along the South End Road frontage of the parcel when the South End Fire Station was constructed. Curb and sidewalk improvements for Josephine Street will be necessary when the rear portion of the United Methodist Church property is developed and Josephine Street is extended through the fire station parcel to Lafayette Avenue. Plans identifying street, curb and sidewalk improvements can be submitted to the City for review at the time of that development and the City can review the documents for conformance with city standards and widths required in the Oregon City TSP.

12.04.025 Street design-Curb cuts.

- A. To assure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, such as a cul-de-sac or deadend street, the decision maker shall be authorized to minimize the number and size of curb cuts (including driveways) as far as practicable where any of the following conditions are necessary:
 - 1. To provide adequate space for on-street parking;
 - 2. To facilitate street tree planting requirements;
 - 3. To assure pedestrian and vehicular safety by limiting vehicular access points; and
 - 4. To assure that adequate sight distance requirements are met.

Where the decision maker determines any of these situations exist or may occur due to approval of a proposed development, driveway curb cuts shall be limited to those widths as approved by the public works street standard drawings. Shared residential driveways shall be limited to twenty-four feet in width adjacent to the sidewalk and property line and may extend to a maximum of thirty feet abutting the street pavement to facilitate turning movements. Non-residential development driveway curb cuts in these situations shall be limited to those widths as approved by the public works street standard drawings or as approved by the city engineer upon review of the vehicle turning radii based on a professional engineer's design submittal.

B. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard surface for at least ten feet and preferably twenty feet back into the lot as measured from the current edge of street pavement to provide for controlling gravel tracking

Page 5

onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the city engineer.

- C. It shall be a code violation to drive vehicles, trailers, boats, or other wheeled objects across a sidewalk or roadside planter strip at a location other than an approved permanent or city-approved temporary driveway approach. Damages caused by such action shall be corrected by the adjoining property owner.
- D. It shall be a code violation to place soil, gravel, wood, or other material in the gutter or space next to the curb of a public street with the intention of using it as a permanent or temporary driveway. Damages caused by such action shall be corrected by the adjoining property owner.
- E. Any driveway built within public street or alley right-of-way shall be built and permitted per city requirements as approved by the city engineer.
- F. Exceptions. The public works director reserves the right to waive this policy in certain instances, if it is determined through written findings, that it is in the best interest of the public to do so. Examples of allowable exceptions include:
 - 1. Corner properties or properties adjacent to more than one street frontage provided at least one on-street parking space on each frontage remains available after the installation of a second driveway.
 - 2. Special needs for disabled access.
 - 3. When the size of the lot or the length of the street frontage is adequate to support more than one driveway, the installation of a driveway will result in the loss of no more than one on-street parking space and there is no shortage of on-street parking available for neighboring property.

In no case shall more than two driveways be allowed on any single family residential property.

- G. Appeals. Decisions made by the public works director are final unless appealed in writing to the transportation advisory committee for review and recommendation to the city commission.
- H. Failure to Comply. Failure to meet the intent of this section shall be a violation of this Code and enforceable as a civil infraction.

Two curb cuts on Josephine Street are proposed with in the fire station parcel. A fortyfoot wide curb cut will provide access to the rear of the fire station garage and a twenty four foot wide driveway (of which approximately fifteen feet will be on the Fire District parcel) will provide access to the community parking spaces on the eastern portion of the parcel and the United Methodist's Church parking lot. A more detailed plan providing

Page 6

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 44 of 166

additional street and curb cut information and details can be provided to the City at the time of the street improvement.

12.04.045 Street Design-Constrained local streets and/or rights-of-way.

Any accessway with a pavement width of less than thirty-two feet shall require the approval of the city engineer, community development director and fire chief and shall meet minimum life safety requirements, which may include fire suppression devices as determined by the fire marshal to assure an adequate level of fire and life safety. The standard width for constrained streets is twenty feet of paving with no on-street parking and twenty-eight feet with on-street parking on one side only. Constrained local streets shall maintain a twenty-foot wide unobstructed accessway. Constrained local streets and/or right-of-way shall comply with necessary slope easements, sidewalk easements and altered curve radius, as approved by the city engineer and community development director.

Improvements to extend Josephine Street across the Fire District property and through Oaktree Park to Lafayette Avenue will occur when Parcel 1 of the United Methodist Church property is subdivided. Josephine Street will be constructed to a 28-foot curb-tocurb width across the fire station and park parcels and will therefore be considered constrained, requiring the approval of the City Engineer, Community Development Director and Fire Chief.

12.04.095 Street Design-Curb cuts.

To assure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, such as a cul-de-sac or dead-end street, the decision maker shall be authorized to minimize the number and size of curb cuts (including driveways) as far as practicable where any of the following conditions are necessary:

- A. To provide adequate space for on-street parking;
- B. To facilitate street tree planting requirements;
- C. To assure pedestrian and vehicular safety by limiting vehicular access points; and
- D. To assure that adequate sight distance requirements are met.

Where the decision maker determines any of these situations exist or may occur due to approval of a proposed development, single residential driveway curb cuts shall be limited to twelve feet in width adjacent to the sidewalk and property line and may extend to a maximum of eighteen feet abutting the street pavement to facilitate turning movements. Shared residential driveways shall be limited to twenty-four feet in width adjacent to the sidewalk and property line and may extend to a maximum of thirty feet abutting the street pavement to facilitate turning movements. Non-residential development driveway curb cuts in these situations shall be limited to the minimum required widths based on vehicle turning radii based on a professional engineer's design submittal and as approved by the decision maker.

Page 7

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 45 of 166

Two curb cuts on Josephine Street will serve the South End Fire Station. A forty-foot wide curb cut will allow emergency vehicles to negotiate the turning movement from Josephine Street into the rear of the fire station garage. A second curb cut for a standard parking driveway approach (of which approximately 15 feet will be on the Fire District parcel) will provide access from Josephine Street into the parking area shared by the fire station and the neighboring United Methodist Church.

12.04.170 Street design-Purpose and general provisions.

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

The proposal to modify the Site Plan and Conditional Use approvals for the fire station will allow for the extension of Josephine Street and public utilities from the north line of the church property near Julie Ann Drive south and west to Lafayette Avenue. This local street connection will provide a needed connection, consistent with adopted plans and policies, and will allow for the remainder of the United Methodist Church property to develop. A formal review of the street and utility design for Josephine Street can occur with an application for subdivision of Parcel 1 of the United Methodist Church property.

12.04.175 Street design-Generally.

The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. Where location is not shown in the development plan, the arrangement of streets shall either:

A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;

Page 8

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 46 of 166

B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Access control in accordance with section 12.04.200 shall be required to preserve the objectives of street extensions.

The proposed modification to the approved Site Plan will allow the Josephine Street stub to continue and to be extended from its current point of termination near Julie Ann Drive though the church parcel, the fire station parcel, and the Oaktree Park to connect with Lafayette Avenue at a near 90 degree angle. Conformance with other design criteria above shall be reviewed when a street design for Josephine Street is included with an application for subdivision of United Methodist Church Parcel 1.

12.04.180 Street design-Minimum right-of-way.

All development shall provide adequate right-of-way and pavement width. Adequate right-of-way and pavement width shall be provided by:

- A. Complying with the street design standards contained in the table provided in Chapter 12.04. The street design standards are based on the classification of streets that occurred in the Oregon City Transportation System Plan (TSP), in particular, the following TSP figures provide the appropriate classification for each street in Oregon City: Figure 5-1: Functional Classification System and New Roadway Connections; Figure 5-3: Pedestrian System Plan; Figure 5.6: Bicycle System Plan; and Figure 5.7: Public Transit System Plan. These TSP figures from the Oregon City Transportation System Plan are incorporated herein by reference in order to determine the classification of particular streets.
- B. The applicant may submit an alternative street design plan that varies from the street design standards identified above. An alternative street design plan may be approved by the city engineer if it is found the alternative allows for adequate and safe traffic, pedestrian and bicycle flows and transportation alternatives and protects and provides adequate multi-modal transportation services for the development as well as the surrounding community.

Between Lafayette Avenue and the United Methodist Church parcel, Josephine Street is proposed to have a varying street width varying from 28 to 32 feet and a right-of-way width varying from 40 to 53 feet. Both the proposed street and right-of-way widths are less than the maximums permitted by Table 12.04.020. Pedestrian traffic will be facilitated by construction of a five-foot curb-tight sidewalk along the south side of Josephine Street.

12.04.185 Street design-Access control.

A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the city as a city controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction

Page 9

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 47 of 166

shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property.

B. The city may grant a permit for the adjoining owner to access through the access control.

C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."

D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."

Access control shall be reviewed at the time of dedication of new street right-of-way. Two points of access are proposed to serve the fire station, one to serve the employee parking lot and the rear garage area and a second to serve the parking lot shared by the fire station and the church on the east side of the fire station.

12.04.190 Street design-Alignment. The centerline of streets shall be:

A. Aligned with existing streets by continuation of the centerlines; or

B. Offset from the centerline by no more than ten feet, provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the offset intersection will not pose a safety hazard.

The intersection of Josephine Street with Lafayette Avenue will be a three-legged intersection with no street located opposite of Josephine Street. The criteria of this section will not apply.

12.04.195 Minimum street intersection spacing standards.

A. All new development and redevelopment shall meet the following Public Street Intersection Spacing Standards:

Page 10

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 48 of 166

	Distance in Feet between Streets of Various Classifications									
	Between Arterial and Arterial	Between Arterial and Collector	Between Arterial and Neighbor- hood Collector	Between Arterial and Local Street	Between Collector Street & Collector Street	Between Collector Street and Neighborhood Collector	Between Collector and Local Street	Between Neighborhood Collector & Local Street	Between two adjacent Local Streets	
Measured along an Arterial Street	1320	800	600	300	600	300	150	150	150	
Measured along a Collector Street	800	80	600	300	600	300	150	150	150	
Measured along a Neighbor- hood Collector Street	800	600	300	300	300	150	150	150	150	
Measured along a Local Street	600	600	300	300	300	150	150	150	150	

Table 12.04.040—Public Street Intersection Spacing Standards

or

B. A lesser distance between intersections may be allowed, provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the reduction in intersection spacing will not pose a safety hazard.

South End Road is identified as an arterial street, while Lafayette Avenue and Josephine Street are identified as local streets. As measured along the centerline of Lafayette Avenue, the distance from the proposed Josephine/Lafayette intersection to the South End/Lafayette intersection is approximately 230 feet, less that the intersection spacing standard identified in Table 12.04.040, above. Lancaster Engineering, the applicant's traffic engineer, has investigated the intersection spacing needs and has determined that the intersection spacing as proposed is sufficient to operate safely and efficiently. (Please see Page 4 of Lancaster Engineering's report dated March 16, 2011.) Therefore the intersection spacing and existing features of Lafayette Avenue, including the landscape median, will allow for a reduction in the intersection spacing as identified in Table 12.04.040, without creation of a safety hazard between the intersections.

12.04.200 Street design-Constrained local streets and/or rights-of-way. Any accessway with a pavement width of less than thirty-two feet shall require the approval of the city engineer, community development director and fire chief and shall meet minimum life safety requirements, which may include fire suppression devices as

Page 11

determined by the fire marshal to assure an adequate level of fire and life safety. The standard width for constrained streets is twenty feet of paving with no on-street parking and twenty-eight feet with on-street parking on one side only. Constrained local streets shall maintain a twenty-foot wide unobstructed accessway. Constrained local streets and/or right-of-way shall comply with necessary slope easements, sidewalk easements and altered curve radius, as approved by the city engineer and community development director.

Between Lafayette Avenue and the United Methodist Church parcel, Josephine Street is proposed to be constructed to between 28 and 32 feet. The street will be considered constrained, requiring the approval of the City Engineer, Community Development Director and Fire Chief. This width is adequate for two lanes of traffic with parking on one side only. The South End Fire Station provides community space that can be used as a meeting hall for neighborhood events and because of this, the on-street parking should be located on the fire station side of the new street. Through Oaktree Park, an additional four foot wide parking "bump-out" is proposed to provide for some additional street width near the intersection with Lafayette Avenue to promote traffic flow.

12.04.205 Intersection level of service standards.

When reviewing new developments, the City of Oregon City requires all relevant intersections to be maintained at the minimum acceptable Level Of Service (LOS) upon full build-out of the proposed development. The minimum acceptable LOS standards are as follows:

- A. For signalized intersection areas of the city that are located outside the Regional Center boundaries a LOS of "D" or better for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of critical movements.
- B. For signalized intersections within the Regional Center boundaries a LOS "D" can be exceeded during the peak hour; however, during the second peak hour, LOS "D" or better will be required as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0.
- C. For unsignalized intersection throughout the city a LOS "E" or better for the poorest approach and with no movement serving more than twenty peak hour vehicles operating at worse than LOS "F" will be tolerated for minor movements during a peak hour.

Conformance with the criteria above will likely be reviewed when a street design for Josephine Street is included with an application for subdivision of Parcel 1 of the Church's proposed partition. However, according to the report prepared by Lancaster Engineering the Level of Service at the South End Road at Partlow/Lafayette intersection would meet the City's standard today.

12.04.210 Intersection angles.

Page 12

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 50 of 166

Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the city engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point.

The proposed intersection of Josephine Street with Lafayette Avenue will occur at a near right angle and will have a tangent prior to the intersection of more than 100 feet. The criteria of this section have been met.

12.04.215 Street design-Off-site street improvements.

During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the city's applicable planned minimum design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.

When Parcel 1 of the United Methodist Church property is subdivided, Josephine Street will be extended from its current point of termination near Julie Ann Drive through the church property, across the South End Fire Station property and Oaktree Park to intersect with Lafayette Avenue. The portion of Josephine Street located west of the United Methodist Church property will be beyond the subdivision boundary. No other off-site improvements are anticipated, however, this decision shall be reviewed by the City when development of Parcel 1 is being proposed.

12.04.230 Street design-Street names.

Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names shall conform to the established standards in the city and shall be subject to the approval of the city.

It is anticipated that no new street names will be necessary; however, this shall be reviewed with an application for subdivision of Parcel 1.

12.04.235 Street design-Grades and curves.

Page 13

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 51 of 166

Grades and center line radii shall conform to the standards in the city's street design standards and specifications.

Proposed centerline radii for the portion of Josephine Street located on the fire station parcel are 100 feet, which conforms to the minimum allowed centerline for a local street. The eyebrow corner located where the fire station parcel and the church parcel meet, will be designed to conform to Street Work Drawing No. 518. Street grades will be minimal, as site grades are generally less than 5 percent.

12.04.245 Street design-Pedestrian and bicycle safety.

Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.

All crosswalks shall include a large vegetative or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The decision maker may approve an alternative design that achieves the same standard for constrained sites or where deemed unnecessary by the city engineer.

These design elements can be reviewed when a street design for Josephine Street is submitted with an application for subdivision of Parcel 1 of the United Methodist Church property.

12.04.265 Street Design-Planter strips.

All development shall include vegetative planter strips that are five feet in width or larger and located adjacent to the curb. This requirement may be waived or modified if the decision maker finds it is not practicable. The decision maker may permit constrained sites to place street trees on the abutting private property within 10 feet of the public right-of-way if a covenant is recorded on the title of the property identifying the tree as a city street tree which is maintained by the property owner. Development proposed along a collector, minor arterial, or major arterial street may use tree wells with root barriers located near the curb within a wider sidewalk in lieu of a planter strip, in which case each tree shall have a protected area to ensure proper root growth and reduce potential damage to sidewalks, curbs and gutters.

To promote and maintain the community tree canopy adjacent to public streets, trees shall be selected and planted in planter strips in accordance with Chapter 12.08, Street Trees. Individual abutting lot owners shall be legally responsible for maintaining healthy and attractive trees and vegetation in the planter strip. If a homeowners' association is created as part of the development, the association may assume the maintenance obligation through a legally binding mechanism, e.g., deed restrictions, maintenance agreement, etc., which shall be reviewed and approved by the city attorney.

Page 14

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 52 of 166

Failure to properly maintain trees and vegetation in a planter strip shall be a violation of this code and enforceable as a civil infraction.

South End Fire Station is an existing facility owned by Clackamas Fire District #1. The Fire District is cooperating with the needs of the United Methodist Church and the desires of the City of Oregon City to provide for an extension of Josephine Street across the fire station property to provide additional local connectivity. The Fire District is willing to grant right-of-way, but desires to maintain adequate onsite space for employee parking and its operating needs. In order to minimize the impact to the fire station and the neighboring Oaktree Park, the street section across the two parcels includes a constrained 28-foot wide street width with a 5' curb-tight sidewalk on the fire station side of the street only. Limiting the area of impact will preserve existing landscaping and vegetation that exists beyond the proposed right-of-way. Planter strip widths for the remainder of Josephine Street can be determined when the final street alignment has been chosen and submitted to the City for review with an application for subdivision of Parcel 1 of the church property.

Chapter 12.08 – Public and Street Trees

12.08.015 Street tree planting and maintenance requirements.

All new construction or major redevelopment shall provide street trees adjacent to all street frontages. Species of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List or be approved by a certified arborist. If a setback sidewalk has already been constructed or the Development Services determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed within the front yard setback, exclusive of any utility easement.

- A. One street tree shall be planted for every thirty-five feet of property frontage. The tree spacing shall be evenly distributed throughout the total development frontage. The community development director may approve an alternative street tree plan if site or other constraints prevent meeting the placement of one street tree per thirty-five feet of property frontage.
- B. The following clearance distances shall be maintained when planting trees:
 - 1. Fifteen feet from streetlights;
 - 2. Five feet from fire hydrants;
 - 3. Twenty feet from intersections;
 - 4. A minimum of five feet (at mature height) below power lines.
- C. All trees shall be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications.
- D. All established trees shall be pruned tight to the trunk to a height that provides adequate clearance for street cleaning equipment and ensures ADA complaint clearance for pedestrians.

Page 15

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 53 of 166

Proposed street tree locations for the portion of the Josephine Street extension located on the fire station parcel and Oaktree Park are identified on an attached plan. Street tree locations along the portion of Josephine Street located on the United Methodist Church property shall be determined and approved with Josephine Street design included with an application for subdivision of Parcel 1 of the church property.

12.08.020 Street tree species selection.

The community development director may specify the species of street trees required to be planted if there is an established planting scheme adjacent to a lot frontage, if there are obstructions in the planting strip, or if overhead power lines are present.

The proposed species of street trees are proposed along the western portion of the Josephine Street extension are indicated on the attached plan.

12.08.035 Public tree removal.

Existing street trees shall be retained and protected during construction unless removal is specified as part of a land use approval or in conjunction with a public facilities construction project, as approved by the community development director. A diseased or hazardous street tree, as determined by a registered arborist and verified by the City, may be removed if replaced. A non-diseased, non-hazardous street tree that is removed shall be replaced in accordance with the Table 12.08.035.

All new street trees will have a minimum two-inch caliper trunk measured six inches above the root crown. The community development director may approve off-site installation of replacement trees where necessary due to planting constraints. The community development director may additionally allow a fee in-lieu of planting the tree(s) to be placed into a city fund dedicated to planting trees in Oregon City in accordance with Oregon City Municipal Code 12.08.

No existing public street trees will need to be removed in order to construct the Josephine Street between Lafayette Avenue and the United Methodist Church parcel. The provisions of this chapter do not apply.

Chapter 17.41 Tree Protection Standards.

17.41.020 Tree protection-Applicability.

- 1. Applications for development subject to Chapters 16.08 or 16.12 (Subdivision or Minor Partition) or Chapter 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments.
- 2. For public capital improvement projects, the city engineer shall demonstrate compliance with these standards pursuant to a Type II process.

Page 16

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 54 of 166

- 3. Tree canopy removal greater than twenty-five percent on sites greater than twenty-five percent slope, unless exempted under Section 17.41.040, shall be subject to these standards.
- 4. A heritage tree or grove which has been designated pursuant to the procedures of Chapter 12.08.050 shall be subject to the standards of this section.

The current proposal will modify an approved Site Plan and conditional use for the South End Fire Station. Per criterion #1 above, Site Plan and Design review is subject to the tree protection standards of Chapter 17.41.

17.41.050 Same-Compliance Options.

Applicants for review shall comply with these requirements through one or a combination of the following procedures:

- A. Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to Sections 17.41.060 or 17.41.070. All replanted and saved trees shall be protected by a permanent restrictive covenant or easement approved in form by the city.
- B. Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to Sections 17.41.080—17.41.100; or
- C. Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to Sections 17.41.110—17.41.120; or
- D. Option 4—Cash-in-lieu of planting pursuant to Section 17.41.130.

A regulated tree that has been designated for protection pursuant to this section must be retained or permanently protected unless it has been determined by a certified arborist to be diseased or hazardous, pursuant to the following applicable provisions.

The community development director, pursuant to a Type II procedure, may allow a property owner to cut a specific number of trees within a regulated grove if preserving those trees would:

1. Preclude achieving eighty percent of minimum density with reduction of lot size; or

2. Preclude meeting minimum connectivity requirements for subdivisions.

The purpose of these modifications to the Site Plan and Conditional Use of the Fire District site is to allow for an extension Josephine Street through the Fire District parcel to Lafayette at some future time. It is known that a few regulated trees (4) as they exist today would be impacted by the proposed alignment. At such time as the Josephine Street extension is actually constructed the number and size of regulated trees may very well be different.

The Fire District will not be the party requesting a development that will require the Josephine Street extension, but rather wishes to be a good neighbor and sees the benefit of

Page 17

Page 55 of 166

allowing Josephine Street to be extended through to Lafayette Avenue. The proposed modifications to the Site Plan and Conditional Use in themselves do not impact the regulated trees. The matter of what regulated trees will be impacted and how those impacts should be addressed when Josephine Street is extended should be looked at in an holistic manner across the Church's, Fire District and park parcels when such a request to extend the street is made as part of a future subdivision application.

Chapter 17.44 US - Geologic Hazards.

17.44.025 When required; regulated activities; permit and approval requirements.

No person shall engage in any of the following regulated activities within the adopted Oregon City Geologic Hazards Overlay Zone as defined in section 17.04.515 of the Oregon City Municipal Code without first obtaining permits or approvals as required by this chapter:

- A. Installation or construction of an accessory structure greater than 500 square feet in area;
- B. Development of land, construction, reconstruction, structural alteration, relocation or enlargement of any building or structure for which permission is required pursuant to the Oregon City Municipal Code;
- C. Tree removal on slopes greater than 25 percent where canopy area removal exceeds 25 percent of the lot.
- D. Excavation which exceeds two feet in depth, or which involves twenty-five or more cubic yards of volume;

The requirements of this chapter are in addition to other provisions of the Oregon City Municipal Code. Where the provisions of this chapter conflict with other provisions of the Oregon City Municipal Code, the provisions that are the more restrictive of regulated development activity shall govern.

The current proposal will modify an approved Site Plan and conditional use for the South End Fire Station to facilitate future construction of Josephine Street across the site. With the current proposal, no land will be developed and no structures or accessory structures will be constructed, reconstructed, structurally altered, relocated or enlarged.

No trees will require removal and no excavation will be necessary until the time that a land division of the rear portion of the United Methodist Church site is proposed for development. When trees are removed, none will removed on slopes greater than 25 percent, because the site grades are minimal and do not exceed 5 percent. Excavation will be necessary to construct Josephine Street, however that work will not be performed until the time of development of the rear portion of the United Methodist Church parcel.

The provisions of Chapter 17.44 US – Geologic Hazards do not apply to the current application, but will apply when Josephine Street is constructed across the site. The

Page 18

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 56 of 166

provisions of Chapter 17.44 shall be addressed with an application for subdivision of the rear portion of the United Methodist Church parcel (proposed Parcel 1).

<u>Chapter 17.56 – Conditional Uses</u>

Per Section 17.08.030.E of the City of Oregon City Municipal Code, Emergency service facilities (police and fire) require a conditional use permit when located in an R-10 Zone. A Conditional Use approval was granted for the South End Fire Station by File No. CU 00-05, with analysis and findings demonstrating that the application had satisfied the criteria applicable for Conditional Uses. The City's Conditional Use standards are the same today as they were when File No. CU 00-05 was processed in 2000.

As explained earlier in this narrative, modification of CU 00-05 is necessary to accommodate a future extension of Josephine Street through the site. The street extension will alter the fire station's rear access, will reduce the size of the Fire Station parcel by approximately 7,731 square feet and will leave the remaining Fire Station parcel divided into 5,938 and 29,891 square feet portions split by the new roadway. The five Conditions of Approval that were applied to CU 00-05 should be revised to reflect the current proposal.

Criteria and standards for approval of a conditional use are as follows:

17.56.010 Permits - 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;

The site is zoned R-10 Single Family Residential. The R-10 district lists conditional uses under Section 17.08.030. Subsection I identifies emergency service facilities as a conditional use.

Page 19

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 57 of 166

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

The size and shape of the parcel will be modified in order to dedicate right-ofway to provide for the future Josephine Street extension. The portion of the site being affected by the street extension is currently either meadow, landscaping or is a paved surface providing vehicular access to the rear of the fire station.

The site's location and topography will not be altered by the proposed modification. The site was chosen as the location for the fire station because it fronted on South End Road which provided for quick and easy access to other locations throughout the South End area.

The fire station easily fits onto the existing 1-acre parcel and will fit on the smaller parcel as well. The lot area, lot coverage and the setbacks from the property lines to the structure will all remain within the standards of the R-10 district. The reduction of the site area by approximately 7,731 square feet to allow for Josephine Street to connect to Lafayette Avenue will improve vehicular and pedestrian access to the fire station and to the church from the neighborhood to the north.

The fire station's frontage along South End Road is improved with curbs and sidewalks and all public utilities needed to serve the building are already in place. Improvements to Josephine Street and the dedication of the right-of-way are proposed to occur when the rear parcel (Parcel 1) of the United Methodist Church is developed.

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;

The City of Oregon City's Comprehensive Plan identified a need for a fire station near South End or Central Point Roads as development approached the City's southern Urban Growth Boundary. The South End Fire Station was originally approved by the City in 2000 in order to help lower the response times from the fire department that exceeded ten minutes in the South End Road area.

The fire station was designed with a vehicular ingress to the fire station from Lafayette Avenue and emergency vehicular egress via South End Road in order to limit traffic impacts on South End Road and to prevent the need for fire trucks to back into the fire station. Extension of Josephine Street along the rear

Page 20

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 58 of 166

of the fire station to Lafayette Avenue will remain consistent with the original design and will reduce traffic impacts on South End Road by allowing for improved access to the fire station and the United Methodist Church from the neighborhood to the north via two curb cuts on Josephine Street.

All public improvements are in place to serve the fire station. Public and private improvements for the Josephine Street extension are proposed to be completed by the developer of the United Methodist Church parcel when the rear portion of that parcel is developed.

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;

The area surrounding the South End Fire Station is primarily residential, with single family residences located to the north and across South End Road to the south and southeast. The United Methodist Church is located east and northeast of the fire station and the Oaktree Park, a passive City-owned park, is located west of the fire station.

The South End Fire Station is an existing use that has been located on the site since 2004 and was dedicated as a fire station on July 1, 2008. The fire station is located nearest to South End Road between the United Methodist Church and the Oaktree Park. Being as though the fire station is located nearest to South End Road, the structure's scale is measured against the neighboring United Methodist Church and not to neighboring residences. Future construction of Josephine Street behind the fire station will further separate the fire station from the residential parcels in the Oaktree subdivision to the northwest.

The fire station does not and has not limited, impaired, or precluded the use of surrounding parcels as residences.

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

The Oregon City Comprehensive Plan contains the following applicable Goals and Policies:

Goal 11.9 Fire Protection Maintain a high level of fire protection and emergency medical services.

Policy 11.9.1 Ensure that all areas, including newly annexed areas, receive fire protection and emergency medical services.

Page 21

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 59 of 166

Policy 11.9.2

Attempt to maintain the City's Class IV fire insurance rating and work towards achieving a Class III rating, as funds are available.

The South End Fire Station is one of the elements of the City's plan to ensure that all areas of the City receive a high level of fire protection and emergency medical services. The South End Fire Station serves the growing South End residential community with efficient emergency services.

Policy 12.1.4

Provide walkable neighborhoods. They are desirable places to live, work, learn and play, and therefore a key component of smart growth.

Policy 12.6.4

Identify and prioritize improved connectivity throughout the city street system.

The extension of Josephine Street through the fire station and United Methodist Church sites to Lafayette Avenue will provide improved connectivity between the South End Road area and the neighborhood located north of the United Methodist Church. This future roadway extension will provide improved vehicular access to the church and the fire station from the neighborhood to the north via driveways along the new roadway. Once homes are constructed, sidewalks will be constructed, providing a new walkable route along Josephine Street from Julie Ann Drive to the South End Road area.

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.

The proposed modification to dedicate right-of-way for the Josephine Street extension will reduce the rear yard to approximately 40 feet at the narrowest point. Currently, the rear yard measures approximately 143 feet. All other yards will remain the same as existing. The future street extension across the fire station site will affect the existing parking area behind the fire station, causing the parking area to be reconfigured and the loss of two employee parking stalls. But this area will still provide adequate maneuvering space and adequate parking to meet the needs of the fire station.

Page 22

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 60 of 166

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.

The lot area, lot coverage and the rear yard will be modified by the proposed rightof-way dedication for Josephine Street. The proposed dedication will reduce the lot area from 43,560 square feet to approximately 35,829 square feet, well above the R-10 minimum lot area of 10,000 square feet.

With the structure not being changed, the reduction of the lot area will increase the lot coverage. Dedication of the right-of-way is anticipated to reduce the lot size to 35,829 square feet and will divide the parcel into two sections measuring 5,938 and 29,891 square feet. Basing the lot coverage upon the total lot area of 35,829 square feet would lead to a lot coverage percentage of 20.3 percent. If the northern area of the lot, north of the Josephine Street extension were to be disregarded and the lot coverage was based solely on the 29,891 sf portion of the lot that will be located south of Josephine Street, the lot coverage percentage would be 24.4. Calculated either way, the lot coverage percentage will remain well below the 40 percent maximum allowed in the R-10 zone.

The dedication of the Josephine Street right-of-way will reduce the yard on the rear of the structure. The required rear yard and the required setback from a public right-of-way to a garage door are both 20 feet in the R-10 zone. The proposed dedication will reduce the rear yard dimension from approximately 143 feet to approximately 40 feet and will reduce the distance between the right-of-way and the garage door to approximately 70 feet. Both yards will remain well above the minimum requirements of the R-10 zone.

The proposed modification will not affect the ability of the South End Fire Station to meet the dimensional requirements of the R-10 zone.

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.

The use of this site as a fire station did not pre-date the effective date of the ordinance. This section does not apply.

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.

This provision does not apply, as no further expansion is being contemplated at this time.

Page 23

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 61 of 166

<u>Chapter 17.62 – Site Plan & Design Review</u> 17.62.020 - Preapplication conference.

Prior to filing for site plan and design review approval, the applicant shall confer with the community development director pursuant to Section 17.50.030. The community development director shall identify and explain the relevant review procedures and standards.

A pre-application conference with the Community development director was held on December 1, 2010 to discuss the modification of the site plan and conditional use approvals for the South End Fire Station and the modification of the United Methodist Church's minor partition and conditional use approvals.

17.62.030 - When required.

Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6, R-5 and R-3.5 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cottage housing development, multifamily and non-residential uses in all zones. No building permit or other permit authorization for development shall be issued prior to site plan and design review approval. Parking lots and parking areas accessory to uses regulated by this chapter also shall require site plan and design review approval. Site plan and design review shall not alter the type and category of uses permitted in zoning districts.

Although the extension of Josephine Street across the Fire Station parcel will not affect the structure or its use, the parking area behind the building will require some alteration to permit construction of the new public roadway. Parking lots and parking areas accessory to uses regulated by this chapter require site plan and design review approval. The provisions of Chapter 17.62 apply.

17.62.035 - Minor Site Plan and Design Review.

This section provides for a minor site plan and design review process. Minor Site Plan Review is a Type II decision subject to administrative proceedings described in OCMC 17.50 section and may be utilized as the appropriate review process only when authorized by the community development director. The purpose of this type of review is to expedite design review standards for uses and activities that require only a minimal amount of review, typical of minor modifications and/or changes to existing uses or buildings.

- A. Generally. Minor site plan and design review applies to the following uses and activities:
 - 1. Modification of an office, commercial, industrial, institutional, public or multi-family structure for the purpose of enhancing the aesthetics of the building and not increasing the interior usable space (for example covered

Page 24

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 62 of 166

walkways or entryways, addition of unoccupied features such as clock tower, etc.).

- 2. Modification to parking lot layout and landscaping or the addition of up to 5 parking spaces.
- 3. A maximum addition of up to one thousand square feet to a commercial, office, institutional, public, multi-family, or industrial building provided that the addition is not more than thirty-five percent of the original building square footage.
- 4. Other land uses and activities may be added if the community development director makes written findings that the activity/use will not increase off-site impacts and is consistent with the type and/or scale of activities/uses listed above.

The proposal is to modify an approved site plan and an approved conditional use in order to facilitate the future extension of Josephine Street through the site. The proposed street dedication will reduce the site area by approximately 7,731 sf and will require modifications to the employee parking area and the landscaping behind the building so that they may conform to the new street extension. Per criteria 2 and 4 above, Minor Site Plan and Design Review is applicable to this application.

B. Application. The application for the minor site plan and design review shall contain the following elements:

- 1. The submittal requirements of Chapter 17.50.
- 2. A narrative explaining all aspects of the proposal in detail and addressing each of the criteria listed in Section 17.62.035C. below.
- 3. Site plan drawings showing existing conditions/uses and proposed conditions/uses.
- 4. Architectural drawings, including building elevations and envelopes, if architectural work is proposed.
- 5. Additional submittal material may be required by the community development director on a case-by-case basis.

Applicable submittals have been included with this application. No architectural drawings have been submitted as no changes to the building will occur. Narrative addressing the criteria listed in Section 17.62.035C is located below.

C. Development Standards for Minor Site Plan and Design Review.

1. All development shall comply with Section 17.62.050(1.—7. and 8.—15. and 20.—22.) when deemed applicable by the community development director. Other sections may apply, as directed by the community development director when applicable, in order to show compliance with this chapter, such as the commercial and institutional standards of section 17.62.055.

Page 25

Narrative addressing compliance with Sections 17.62.050(1.-7. and 8.-15. and 20.-22.) appears below.

17.62.050.1 Landscaping.

Following dedication of the Josephine Street right-of-way, the site area will be reduced to approximately 35,829 square feet, of which, approximately 11,888 square feet will remain as landscaping (not including interior parking lot landscaping). The percentage of landscaping will equal approximately 33 percent of the total site area, well above the 15 percent minimum required.

The interior parking lot area is approximately 8,250 square feet, of which, 1,054 square feet will be landscaping. The percentage of the interior parking lot area that will be landscaped will be approximately 12.8 percent, in excess of the minimum 10 percent required.

The landscaping standards of the OCMC can be met.

17.62.050.2 Vehicular Access and Connectivity.

Vehicular ingress to the site will be provided via two driveway connections to Josephine Street. Vehicular egress will include the same two driveways and the existing emergency driveway connection to South End Road that will continue to only be used when emergency vehicles are leaving the fire station. Emergency vehicles returning to the fire station will enter the garage from Josephine Street on the rear of the building. Employee parking will also be located off this rear accessway. A second driveway access from Josephine Street will be shared by the fire station and the United Methodist Church and will provide improved access to the church and the community parking area for the fire station from the neighborhood north and west of the church.

17.62.050.3 Building Structures.

The size, shape, height, color and building materials were all approved with the City's approval of Site Plan 00-26. No alteration of the building is proposed, therefore this criterion does not apply.

17.62.050.4 Grading.

Behind the fire station, Josephine Street will need to match the grade of Lafayette Avenue and will need to attempt to conform with the existing sidewalks and driveways located behind the fire station in order to minimize impacts to the existing improvements. Even if great care is taken with the design, some minor grading of existing driveways, sidewalks and landscape areas is anticipated to be necessary because the grading for Josephine Street will have to allow for drainage

Page 26

of the new street consistent with City Public Works standards. With the site grades being under 5 percent, the need for significant grading is not anticipated.

17.62.050.5 Geologic Hazard.

The site is identified on the Canby and Oregon City Geologic Hazards Map as having wet soils with a high water table. Site Plan 00-26 included a review of the project for conformance with Chapter 17.44, "US" Unstable Soils and Hillside Constraint Overlay District. No land development, building construction, reconstruction or structural alteration will occur as a part of the current proposal. The site has grades of less than 5 percent and no site grading is proposed other than the grading that will be necessary to construct the public street when the rear portion of the United Methodist Church property is divided. The existing Fire Station building will remain unchanged, and with the exception of the existing site improvements located in the vicinity of the new roadway that may have to be changed to accommodate the new roadway, the existing site will remain undisturbed.

As site grades are minimal, the retaining walls are not anticipated to be necessary. Josephine Street will be constructed as a constrained street, with a width of 28 feet in order to minimize impacts to the surrounding area.

The criteria of this section have been met.

17.62.050.6 Drainage.

Existing impervious surfaces on the fire station site drain to a multitude of inlets where the water is collected and transported through pipes to a detention pond facility shared by the Fire Station and the United Methodist Church. Following the extension of Josephine Street through the site, site drainage will continue to be directed to the detention pond facility, although some of piping may have to be altered in order to allow for the public street and utility construction.

It is anticipated that when Parcel 1 of the United Methodist Church site is developed, the existing detention pond facility may have to be upsized to accommodate the drainage from the additional development, including the new portion of Josephine Street being constructed. Stormwater calculations can be provided with the application for development of Parcel 1.

17.62.050.7 Parking.

The OCMC does not specify parking requirements for fire stations. In the application for Site Plan 00-26, the applicant stated that employee parking would be provided behind the building to accommodate shift changes plus public parking spaces adjacent to the church's parking lot would also be provided. The South End Fire Station is staffed with a company officer and an apparatus operator who work 24-hour shifts. Four parking stalls are necessary to accommodate shift changes.

Page 27

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 65 of 166

Currently, six parking stalls are located behind the fire station, but this number will be reduced to four when Josephine Street is constructed through the site. All other parking stalls will remain unchanged, and will continue to comply with the City's off-street parking standards, Chapter 17.52.

17.62.050.8 Sidewalks & Curbs.

Public street, curb and sidewalk improvements were constructed along the South End Road frontage of the parcel at the time that the South End Fire Station was constructed. Street, curb and sidewalk improvements for Josephine Street through the fire station property will be necessary when the rear portion of the United Methodist Church property is developed and Josephine Street is extended to Lafayette Avenue. Plans identifying street, curb and sidewalk improvements can be submitted to the City for review at that time and the City can review the documents for conformance with city standards and widths required in the Oregon City TSP.

17.62.050.9 Pedestrian Circulation.

Pedestrian walkways are currently located along South End Road and along all site parking stalls that provide access from the public right-of-way and parking areas to building entrances and exits. A new public sidewalk will be constructed along the south side of Josephine Street that will connect to the existing onsite pedestrian walkway network and will further facilitate pedestrian circulation to the building from Josephine Street and the future neighborhood that will be located behind the church.

17.62.050.10 Maintenance of facilities.

The owner of the fire station is responsible for on-going maintenance and upkeep of all landscaping and improvements onsite. When Josephine Street is constructed, the owner will be responsible for maintaining any new planter strips located onsite. The City will own Josephine Street and will be responsible for its maintenance.

17.62.050.11 Tree Protection.

Tree protection is discussed earlier in this narrative in response to Chapters 12.08 and 17.41.

17.62.050.12 Natural Resource Protection.

The property is not located within the Natural Resources Overlay District. The provisions of this section do not apply.

17.62.050.13 Federal, state and city standards.

Page 28

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 66 of 166

The proposal will not alter the building or its use as a fire station. No other permits are known to be required.

17.62.050.14 Public water and sewer.

The building is currently served by City water and sanitary sewer. No changes to the water and sanitary sewer service to the building are anticipated, although a portion of the 8-inch public waterline that runs behind the fire station may have to be re-located with the construction of Josephine Avenue. This connection can be reviewed by the City Engineer at the time of construction plan review for Josephine Street.

17.62.050.15 Right of way and streets.

Adequate right-of-way and improvements to streets were discussed earlier in response to Section 12.04, Streets, Sidewalks and Public Places.

17.62.050.20 Screening of Mechanical Equipment.

The proposal will not alter the building or the screening of the mechanical equipment. The provisions of this section do not apply.

17.62.050.21 Building Materials.

The proposal will not alter the existing building. The provisions of this section do not apply.

17.62.050.22 Conditions of Approval.

Conditions of approval may be imposed on this project by the review authority. The project will comply with applicable conditions as appropriate.

17.62.055 Institutional and commercial building standards.

The proposal will not alter the existing building. The provisions of this section do not apply.

Conclusion:

The proposed modifications of Site Plan SP 00-26 and CU 00-05 have been shown to satisfy the applicable standards of the Oregon City Municipal Code. The modifications should be approved and the conditions of approval that were applied to CU 00-05 should be revised to reflect the current plan.

Page 29

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 67 of 166





LANCASTER ENGINEERING

321 SW 4th Ave., Suite 400 Portland, OR 97204 phone: 503.248.0313 fax: 503.248.9251 lancasterengineering.com

March 16, 2011

Oregon City United Methodist Church 18955 South End Road Oregon City, OR 97045

RE: Josephine Street Extension

Dear Sir or Madam:

This Transportation Analysis Letter (TAL) has been prepared to discuss the impacts of a proposed extension of Josephine Street to intersect Lafayette Avenue approximately 250 feet northwest of South End Road in Oregon City. The proposed street extension will provide access for future residential development along the west side of the new roadway and improve street connectivity for homes in the site vicinity. The Josephine Street extension represents a modification of two prior land use approvals on the subject property.

The primary purpose of this letter is to determine the potential safety and operational impacts of the proposed street extension, and to discuss Oregon City's public street intersection spacing standards.

The subject property is located on the northwest side of South End Road, northeast of Lafayette Avenue. The primary affected property is tax lot 31E01DC00400, which is currently home to the Oregon City United Methodist Church and has a lot size of approximately 3.8 acres.

Access for the site is currently taken via South End Road; however an existing, gated access to the southern terminus of Josephine Street also connects to the property.

South End Road operates under the jurisdiction of the City of Oregon City and is classified as a Minor Arterial in the City's Transportation System Plan (TSP). It has a two-lane cross-section, with a single travel lane in each direction and is striped to prohibit passing. It has a posted speed limit of 40 mph in the vicinity of Lafayette Avenue and Partlow Road, transitioning to 35 mph to the north. Curbs, gutters and sidewalks are in place north of the Lafayette Avenue/Partlow Road intersection. Curb ramps have been installed on the southeast corner of the intersection in anticipation of future sidewalks that will be constructed as the adjacent properties develop. Bike lanes are in place on both sides of the roadway, and on-street parking is available north of Partlow Road.

Lafayette Avenue is classified by the City of Oregon City as a Local Street. It has a two-lane cross-section, with a single travel lane in each direction. In the immediate vicinity of South End Road, a landscaped median separates the two travel lanes. Curbs, gutters and sidewalks are in place, and parking is permitted on both sides of the roadway. Lafayette Avenue has a statutory speed limit of 25 mph.

Page 68 of 166

le

Oregon City United Methodist Church March 16, 2011 Page 2 of 5

Partlow Road is classified by the City of Oregon City as a Collector. It has a two-lane crosssection with a single travel lane in each direction and is striped to prohibit passing. Curbs, gutters and bike lanes are in place in the vicinity of South End Road. Partial sidewalks are in place abutting developed properties, however the properties in the immediate vicinity of South End Road are not yet developed and do not currently have sidewalks. Partlow Road has a statutory speed limit of 25 mph.

Josephine Street is classified by the City of Oregon City as a Local Street. It has a two-lane cross-section, with a single travel lane in each direction and no centerline striping. Curbs, gutters and sidewalks are in place adjacent to the proposed street extension, and parking is permitted on both sides of the roadway. Josephine Street has a statutory speed limit of 25 mph.

The intersection of South End Road at Lafayette Avenue operates under two-way stop control. The two Lafayette Avenue approaches are controlled by stop signs, while through traffic travelling along South End Road is free-flowing. The westbound approach has a left-turn lane and a shared through/right lane. The other three intersection approaches each have a single, shared approach lane.

The proposed new intersection of Lafayette Avenue at Josephine Street would consist of a Tintersection with stop control on the southwest-bound Josephine Street extension. Lafayette Avenue traffic would not stop at the new intersection.

Trip Generation

The proposed street extension will not generate trips itself, but it is expected that it will have an impact on future traffic volumes and travel routes in the site vicinity. Since future traffic volumes on Josephine Street may affect safety at area intersections, it is appropriate that some analysis of likely future traffic volumes be included in this analysis.

Following completion of the roadway, development can occur on the west side of the property, with likely future development consisting of up to 14 single-family homes. In addition, a portion of the trips from existing residences on Josephine Street and in the immediate vicinity of the current dead-end would be likely to divert to the new Josephine Street alignment. It is estimated that the proposed extension of Josephine Street could carry up to 210 vehicles per day, with 17 trips during the morning peak hour and 22 trips during the evening peak hour.

It is recognized that many of these trips result from diversion of existing traffic that currently uses other streets in the site vicinity. The net traffic increases in the site vicinity will be limited to the trips generated by new homes located along the Josephine Street extension. These trips are expected to total approximately 134 daily trips, with 11 during the morning peak hour and 14 during the evening peak hour.



Oregon City United Methodist Church March 16, 2011 Page 3 of 5

Even these modest traffic impacts will not be a direct result of approval of the proposed street extension, however, since future development along the new street alignment will require a separate land use approval.

Private Access Driveway Width Standards

Two private access driveways are currently planned along the proposed Josephine Street extension. One will serve the existing church and fire station public parking areas, and the other will serve entering emergency vehicles and employees at the existing South End Fire Station.

For commercial driveways, Oregon City requires a minimum driveway width of 15 feet and a maximum driveway width of 40 feet. The new driveway serving the church and fire station public parking areas will meet the City's access driveway width standards and the fire station driveway will be designed specifically to meet the access needs of emergency vehicles and personnel.

Future residential development along the Josephine Street extension will also need to comply with Oregon City access driveway width standards when further development is proposed.

Access Spacing

The City requires a minimum of 300 feet between an Arterial Street and a Local Street as measured along a Local Street. This indicates that the minimum desired spacing along Lafayette Avenue between South End Road and the future Josephine Street alignment is 300 feet.

The proposed alignment of Josephine Street will be approximately 250 feet from the centerline of South End Road. This spacing represents the maximum distance attainable between the intersections given the constraints of developed properties along Lafayette Avenue.

Oregon City's Public Street Intersection Spacing Standards allow for a lesser distance between intersections, "...provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the reduction in intersection spacing will not pose a safety hazard." Accordingly, an analysis was undertaken to determine the potential safety impacts of the reduced intersection spacing at this location. The safety analysis is detailed on the following page.

Sight Distance

Sight distance was examined at the location of the proposed intersection of Josephine Street and Lafayette Avenue. In accordance with guidelines in the 2004 AASHTO Green Book, sight distance was measured from a point 15 feet behind the edge of the travel lane.

Page 70 of 166

le

Oregon City United Methodist Church March 16, 2011 Page 4 of 5

The statutory speed limit on Lafayette Avenue is 25 mph, requiring a minimum of 280 feet of intersection sight distance in each direction. Intersection sight distance was measured to be in excess of 300 feet in each direction from the existing site access driveway. Intersection sight distance is adequate and no mitigation is recommended.

Safety Analysis

In general, speeds are relatively low in the site vicinity, since the proposed street extension is within a residence district with a statutory speed limit of 25 mph.

Average daily traffic volumes are low on the existing Josephine Street alignment and on Lafayette Avenue. Partlow Road carries approximately 3,300 vehicles per day south of South End Road, and South End Road carries approximately 7,400 vehicles per day in the vicinity of Lafayette Avenue and Partlow Road.

In order to determine whether southbound queues on Lafayette Avenue at South End Road may affect operations and safety in the site vicinity, a micro-simulation model was developed for the intersection. Turning movement volumes for the intersection were developed based on Oregon City's year 2008 traffic volume counts as well as a historical turning movement count at the intersection. The 2008 volumes were increased by six percent to account for growth that may have occurred in the three years since the counts were conducted.

Based on the Syncho/SimTraffic model, the intersection of South End Road at Partlow Road/Lafayette Avenue is projected to operate at level of service D during the morning peak hour and level of service E during the evening peak hour following completion of the proposed road extension and associated future residential development. These levels of service refer to the left-turn lane serving the northwest-bound Partlow Road approach, where intersection delay is highest. The southeast-bound Lafayette Avenue approach is projected to operate at level of service C during the morning and evening peak hours, with average delays of 17 and 20 seconds, respectively. The projected 95th percentile queue length is two vehicles during the morning and evening peak hours. Based on the analysis, southeast-bound queues will easily be accommodated within the proposed 250 foot roadway spacing even during the peak hour. No significant operational or safety problems are anticipated due to the reduced intersection spacing.

It is noted that the existing landscaped median on Lafayette Avenue effectively marks the entrance to a residence district and visually narrows the roadway, encouraging low travel speeds. It also eliminates on-street parking in the vicinity of South End Road and separates the opposing traffic flows, reducing the risk of collisions.

Based on careful examination of existing roadway features, sight distance, and projected operations and queuing, the proposed intersection spacing will be adequate to safely and efficiently

Oregon City United Methodist Church March 16, 2011 Page 5 of 5

serve traffic in the site vicinity. No operational or safety problems are anticipated, and no mitigations beyond the existing landscape median are recommended.

Transportation System Plan

A review of the Oregon City Transportation System Plan revealed that Josephine Street is classified as a Local Street. The street extension will conform to the design standards for this street classification.

The Transportation System Plan identified several planned improvements in the site vicinity. These included resurfacing and widening Partlow Road between South End Road and Central Point Road, providing curb, gutter and sidewalks along South End Road south of Partlow Road, and realigning the offset intersection formed by Partlow Road and Lafayette Avenue.

The proposed Josephine Street extension will not directly impact any of these improvements, some of which are already under construction. Partlow Road has been realigned to intersect opposite Lafayette Avenue, and curb ramps have been constructed. Partlow Road has been improved to include curbs, gutters and bike lanes along the realigned street segment, and will have sidewalks added upon development of the adjacent properties.

Conclusions

Based on the detailed analysis of existing roadway and intersection configurations, driveway widths, access spacing, sight distance, and safety, the proposed Josephine Street extension is projected to operate safely and within capacity. The reduced intersection spacing between the future Josephine Street alignment and the existing intersection of South End Road at Lafayette Avenue is not projected to be subject to capacity, sight distance, queuing, or other operational and safety issues upon approval of a deviation from the standard 300 foot access spacing standard. An existing median on Lafayette Avenue provides some traffic calming and separates opposing travel directions in the vicinity of the closely-spaced intersections. No further mitigation is recommended.

If you have any questions regarding this analysis, please feel free to call me at any time.

Sincerely,

Michael Ard, P.E.

Senior Transportation Engineer
APPENDIX

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 73 of 166

*



4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 Page 74 of 166 to accommodate extension of Josephine Street, reduce parcel size by

4

TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing Land Use Code: 210 Variable: Dwelling Units Variable Value: 22

AM PEAK HOUR

Trip Rate: 0.75

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	4	13	17

PM PEAK HOUR

Trip Rate: 1.01

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	14	8	22

WEEKDAY

Trip Rate: 9.57

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	105	105	210

Source: TRIP GENERATION, Eighth Edition

SATURDAY

Trip Rate: 10.08

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	111	111	222

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing Land Use Code: 210 Variable: Dwelling Units Variable Value: 14

AM PEAK HOUR

Trip Rate: 0.75

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	3	8	11

PM PEAK HOUR

Trip Rate: 1.01

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	9	5	14

WEEKDAY

Trip Rate: 9.57

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	67	67	134

Trip Rate: 10.08

SATURDAY

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	71	71	142

Source: TRIP GENERATION, Eighth Edition

HCM Unsignalized Intersection Capacity Analysis 1: Lafayette Avenue & South End Road

	_#	-	R	*	-	۲	3	*	1	6	×	1
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		\$		٢	ĵ.			\$			\$	
Sign Control		Stop		12415	Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	14	0	23	100	0	133	4	398	120	41	172	6
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Hourly flow rate (vph)	15	0	25	108	0	143	4	428	129	44	185	6
Pedestrians		5			4			3			5	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		0			0			0			0	
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	930	851	196	809	790	501	196			561		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	930	851	196	809	790	501	196			561		
tC, single (s)	7.2	6.6	6.2	7.2	6.6	6.2	4.2			4.2		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.3			2.3		
p0 queue free %	91	100	97	61	100	74	100			96		
cM capacity (veh/h)	173	278	832	273	302	559	1347			987		
Direction, Lane #	EB 1	WB 1	WB 2	NE 1	SW1							
Volume Total	40	108	143	561	235	Section of		22192		070223		1200
Volume Left	15	108	0	4	44							
Volume Right	25	0	143	129	6							
cSH	341	273	559	1347	987							
Volume to Capacity	0.12	0.39	0.26	0.00	0.04				100			
Queue Length 95th (ft)	10	45	25	0	4							
Control Delay (s)	17.0	26.5	13.6	0.1	2.0							
Lane LOS	С	D	В	А	А							
Approach Delay (s)	17.0	19.2		0.1	2.0							
Approach LOS	С	С										
Intersection Summary			i sala									
Average Delay			5.5									
Intersection Capacity Ut Analysis Period (min)	ilizatior	14 S.S.M.	65.7% 15	1	CU Leve	l of Ser	vice		С			

Josephine Street Extension: Lafayette Queuing 2011 AM Background Plus Site LANCASTER ENGINEERING

Synchro 6 Light Report Page 1

3/15/2011

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 77 of 166

Queuing and Blocking Report 2011 AM Background Plus Site

3/15/2011

Intersection: 1: Lafayette Avenue & South End Road

Movement	EB	WB	WB	NE	SW	
Directions Served	LR	L	TR	LTR	LTR	
Maximum Queue (ft)	57	105	108	42	88	
Average Queue (ft)	22	45	49	4	20	
95th Queue (ft)	52	79	89	22	61	
Link Distance (ft)	1063		1462	1100	1136	
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)		100				
Storage Blk Time (%)		1	0			
Queuing Penalty (veh)		1	0			

Network wide Queuing Penalty: 1

Josephine Street Extension: Lafayette Queuing MTA LANCASTER ENGINEERING SimTraffic Report Page 1

HCM Unsignalized Intersection Capacity Analysis 1: Lafayette Avenue & South End Road

	_#	-	R	*	-	۲	3	*	1	6	×	1
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NEL	NET	NER	SWL	SWT	SWF
Lane Configurations		4		ሻ	4			4			4	
Sign Control		Stop		2	Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	7	0	11	81	0	55	13	218	90	124	449	25
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Hourly flow rate (vph)	8	0	12	87	0	59	14	234	97	133	483	27
Pedestrians		5			4			3			5	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		0			0			0			0	
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	1143	1131	504	1092	1096	292	515			335		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1143	1131	504	1092	1096	292	515			335		
tC, single (s)	7.2	6.6	6.2	7.2	6.6	6.2	4.2			4.2		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.3			2.3		
p0 queue free %	95	100	98	47	100	92	99			89		
cM capacity (veh/h)	144	175	558	166	183	735	1026			1198		
Direction, Lane #	EB 1	WB 1	WB 2	NE 1	SW1						-	
Volume Total	19	87	59	345	643	Street Barry		20-25	1991			-Waste
Volume Left	8	87	0	14	133							
Volume Right	12	0	59	97	27							
cSH	263	166	735	1026	1198							
Volume to Capacity	0.07	0.53	0.08	0.01	0.11							
Queue Length 95th (ft)	6	65	7	1	9							
Control Delay (s)	19.8	48.5	10.3	0.5	2.8							
Lane LOS	С	E	В	А	А							
Approach Delay (s)	19.8	33.0		0.5	2.8							
Approach LOS	С	D										
Intersection Summary								M				
Average Delay			6.2									
Intersection Capacity Ut	tilization	1	75.0%	1	CU Leve	el of Ser	vice		D			
Analysis Period (min)			15									

Josephine Street Extension: Lafayette Queuing 2011 PM Background Plus Site LANCASTER ENGINEERING

Synchro 6 Light Report Page 1

3/15/2011

Queuing and Blocking Report 2011 PM Background Plus Site

3/15/2011

Intersection: 1: Lafayette Avenue & South End Road

Movement	EB	WB	WB	NE	SW	
Directions Served	LR	L	TR	LTR	LTR	
Maximum Queue (ft)	58	102	79	56	175	
Average Queue (ft)	16	45	32	8	43	
95th Queue (ft)	45	86	64	34	113	
Link Distance (ft)	1063		1462	1100	1136	
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)		100				
Storage Blk Time (%)		1	0			
Queuing Penalty (veh)		1	0			

Nework Summary

Network wide Queuing Penalty: 1

Josephine Street Extension: Lafayette Queuing MTA LANCASTER ENGINEERING SimTraffic Report Page 1 4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 Page 81 of 166 Paccommodate extension of Josephine Street, reduce parcel size by





4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 page 82 of 166 paccommodate extension of Josephine Street, reduce parcel size by

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 Page 83 of 166 Page 83 of 166





City of Oregon City, Community Development Department, 221 Molalla Ave., Ste. 200, P.O. Box 3040, Oregon City, OR 97045, (503) 722-3789

Type I (OCMC 17.50.030.A) Compatibility Review Nonconforming Use review Water Resources Exemption	Type II (OCMC 17.50.030.B)ExtensionDetailed Development ReviewGeotechnical HazardsMinor PartitionMinor Site Plan & Design ReviewNonconforming Use ReviewSite Plan and Design ReviewSubdivisionMinor VarianceWater Resource Review	Type III / IV (OCMC 17.50.030.C)AnnexationCode Interpretation / Similar UseConcept Development PlanConditional UseComprehensive Plan Amendment (Text/Map)Detailed Development PlanHistoric ReviewOregon City Municipal Code AmendmentVarianceZone Change
		CU 0707 4 MP 07-01) & VR 07-05
Project Name: O.C. UNITED N	NETHODIST CHURCH Number	of Lots Proposed (If Applicable):
		CITY, OR 97045
	· · · · ·	Lot 400
Applicant(s):	,	
Applicant(s) Signature:		
Applicant(s) Name Printed: OPE	GON CITY UNITED METHODIST	CUURCY Date:
Mailing Address: 18935 So	UTY END ROAD, OPEGON LIT	1, OR 97045
Phone: (503) 656 - 5835	Fax:	_ Email:
Property Owner(s): Property Owner(s) Signature:	amen R. Shaver	
Property Owner(s) Name Printed!	SAME AS APPLICANT	Date: 12/27/10
Mailing Address:		/ /
Phone:	Fax:	_ Email:
<u>Representative(s):</u> Representative(s) Signature:	thomas Sim	
Representative (s) Name Printed:	THOMAS J. SISUL, SISUL ENGI	Date: 12/20/2010
	ND AVENUE, GLADSTONE, OR	
Phone: (503) 657-0188	Fax: (503) 657-5779	Email: tomsisul @ sisulengineering.com
	ed must have the full legal capacity and hereby authorize the chibits herewith are correct and indicate the parties willingne	

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 84 of 166

www.orcity.org

SISUL ENGINEERING

A Division of Sisul Enterprises, Inc.

375 PORTLAND AVENUE, GLADSTONE, OREGON 97027 (503) 657-0188 July 14, 2011 FAX (503) 657-5779

City of Oregon City Community Development - Planning 221 Molalla Avenue, Suite 200 Oregon City, OR 97045

ATTN: Pete Walter, AICP

RE: Oregon City United Methodist Church; J.O. SGL 06-163 City File MD 10-02 (Oregon City United Methodist Church site) Also applicable to Modification requests for Fire District parcel

Dear Pete:

Attached with this letter you will supplemental information with regards to the Oregon City United Methodist Church's application as you noted in your Determination of Application Completeness of January 28th. This letter is also relevant to the application now being submitted for the Fire District parcel to modify that parcel's Conditional Use and Site Plan to account for the future extension of Josephine Street across the Fire District's parcel.

The Board of Directors of both the Oregon City United Methodist Church and Clackamas County Fire District #1 as well as Martha Wickliffe of OCUMC and Ed Kirchofer of the Fire District having been working towards an agreement that will set the terms and conditions between the Fire District and the church with regards to future street dedication across the Fire District's parcel. The agreement is close to being finalized but some final details have to be cleared up and agreed to by both Board of Directors.

We realize that this agreement will need to be a part of the record for both the Church's and Fire District's modification requests and we will submit the final agreement to each respective file application once the both boards have ratified the agreement.

If you have any questions with respect to this, please let me know.

Thomas J. Sisul, P.E. Sincerely

pc: Martha Wickliffe Ed Kirchofer

Application for Modification of Conditional Use & Partition Approvals

Applicant	United Methodist Church 18955 South End Road Oregon City, OR 97045 (503) 656-3433 Contact: Martha Wickliffe (503) 656-5835		
Representative	Sisul Engineering. 375 Portland Avenue Gladstone, OR 97027 (503) 657-0188 Contact: Tom Sisul		
Location	18955 South End Road		
Legal Description	Tax Lot 400, 3 1E 1DC		
Zoning	R-8		
Comprehensive Plan	Low Density Residential		
Site Size	7.66 Acres		
Proposal	1. Modification of approved Minor Partition MP 07-11 to adjust the proposed partition line dividing Parcels 1 and 2 near South End Fire Station No. 17 in order to accommodate a new future street alignment for Josephine Street.		
	 Modification of the Church's Conditional Use (and Conditional Use conditions of approval) to reflect the adjustment to the partition and having the size of the Church parcel (Parcel 2) increase by 4,000 sf and measure 3.59 rather than 3.50 acres. 		

Site Description

The site is located in the southeastern part of Oregon City, west of South End Road and south of Warner Parrott Road. Josephine Street terminates at the north site boundary.

The site presently has frontage and access by way of a single driveway to South End Road. The site also has 30 feet of frontage on Cook Street, to the northwest. South End Road is classified as an arterial street and other local nearby streets are classified as local residential streets.

The site is nearly flat, and is occupied by the church building, a smaller building, and an associated parking area. No existing trees or landscaping will be impacted by the request.

The site is bordered by single-family residences in the Oaktree Subdivision to the southwest, in the "Cook Street Addition" to the north and northwest, and in the Maxwell Meadows subdivision to the northeast. Clackamas Fire District #1 owns and operates South End Fire Station No. 17 adjacent and south of the church property, with frontage on South End Road and an access from Lafayette Avenue. Across South End Road to the south and east is a mix of single family dwellings on large lots and within subdivisions/partitions.

Adjacent properties are zoned R-8 (north and across South End Road) and R-10 (west, northwest, northeast and across South End Road). Very few undeveloped (or underdeveloped) properties remain in this area.

Previous Actions: CU 96-11; Conditional Use Permit to establish a multi-purpose church facility

SP 96-42; Site plan & design review to establish a multi-purpose church facility

MP 00-08; Partition of 8.66 acres into parcels of one acre and 7.66 acres

CU 00-05; Conditional Use Permit to allow a fire station on one acre

SP 00-26; Site plan & design review to establish a fire station

ZC 07-05; Zone Change from R-10 to R-8

CU 07-07; Conditional Use permit for church use on a smaller parcel than previously approved

MP 07-11; Minor Partition of 7.66 acres into parcels of 4.16 and 3.50 acres.

VR 07-05 Variance to setbacks and the maximum permitted lot size in a partition.

Page 2

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 87 of 166

Proposal

The purpose of this application is to modify the approvals of Minor Partition File No. MP 07-11 and Conditional Use Permit File No. CU 07-07 to accommodate a change to the proposed street network for this site. MP 07-11 was based on an assumption that an extension of Josephine Street would be made through the church property along the eastern side of the fire station to an intersection with South End Road. Following approval of MP 07-11, the City of Oregon City transferred the South End Fire Station to Clackamas Fire District #1. Fire District officials had a different opinion as to the appropriateness of that proposed street network. An alternative alignment has been proposed and endorsed by all parties that would turn the proposed Josephine Street extension west along the northwest side of the Fire Station to an intersection with Lafayette Avenue.

The proposed modification to the approved Site Plan for MP 07-11 will adjust the dividing line between the two proposed parcels to follow the alternative right-of-way alignment. Instead of partitioning the property into parcels of 4.16 and 3.50 acres, the parcel sizes will now be adjusted by 4,000 sq. ft. to become 4.07 and 3.59 acres, respectively.

Conditional Use CU 07-07 amended the approved conditional use permit for the Methodist Church by allowing a reduction in the size of the site from 7.66 acres to 3.50 acres. Proposed Parcel 2, which will accommodate the Methodist Church, was to become a 3.50 acre parcel, but will now become a 3.59 acre parcel. A modification to CU 07-07 is proposed accordingly.

For the present, no public facilities or on-site improvements are proposed. The church and fire station both have approval as conditional uses. The Josephine Street extension would be dedicated and necessary public facilities would be constructed at the time of development of proposed Parcel 1. A non-binding shadow plat of the property is included with this application.

The church presently has connections for public water and sanitary sewer and these lines could be extended to serve future development on Parcel 1. No change is proposed to the management of storm drainage. Please refer to the Existing Conditions and Topography Plan, including Utilities (Sheet 2) for locations of existing facilities.

Applicable Criteria and Standards

Applicable criteria and standards of the Oregon City Municipal Code ("OCMC") include the following:

Title 16Land DivisionsTitle 17Zoning

Requirements of Title 16 and 17 will be reviewed in this narrative, in the order of the requests (partition, conditional use). Generally, Code provisions are indicated by bold italics, with the applicant's response in plain text.

1. Modification of Partition to Create Two Parcels, MP 07-11

Title 16 Land Divisions

The application proposes to create two parcels, one for the church and one that will be suitable for future development as a residential subdivision with approximately 14 new lots suitable for single family detached dwellings.

Chapter 16.16 Partitions – Process and Standards

16.16.010 Purpose and general provisions.

A. Partitions shall be processed as a Type II decision by the community development director in the same manner as set forth in Section 16.04.020(A) and the applicable provisions in Chapter 16.12 and Chapter 17.50. Approval shall be granted only upon determination that all applicable requirements of this title and ORS Chapter 92 have been met.

B. If a parcel of land to be partitioned will create lots large enough to be divided again, the applicant shall provide a hypothetical non-binding plan or "shadow plat" depicting possible future development of the resulting lots.

C. Lot Size Limitations for Partitions. A parcel of land or the aggregate of contiguous parcels under the same ownership containing sufficient net buildable area to be subdivided by the minimum lot size requirements of the underlying zone into four or more lots shall be subject to the Subdivision procedures and standards specified in Chapters 16.08 and 16.12. The calculation of the net buildable area for the parcel or lot to be divided shall be determined by the community development director.

D. A parcel of land in existence at the time this section was adopted may be partitioned once if solely for the purpose of segregating one separate smaller parcel for an existing or proposed single-family house. The original parcel shall be exempt from the lot size limitation for partitions found in subsection C above. The parcel to be created for the single-family house shall not contain sufficient lot area to allow further partitioning under the standards of the applicable existing zone including the use of administrative variances.

Two parcels are proposed with parcel areas of 4.07 and 3.59 acres. These areas exceed double the minimum lot area in the R-8 zone (R-8 Zone minimum lot area is 8,000 square feet, OCMC 17.10.040.A). Furthermore, since more than four lots could be created, per section 16.16.10.C, the proposed partition is subject to the subdivision standards of Chapters 16.08 and 16.12, which are addressed below.

The "church use" will occupy proposed Parcel 2, leaving proposed Parcel 1 vacant and available for future residential development. No new development is proposed at this time and no new public facilities or improvements are necessary to serve the vacant parcel. Any public facility improvements required to serve Parcel 1 can be provided at the time of development of the parcel.

Page 5

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 90 of 166

A "shadow plat" has been prepared and included with the application (see Sheet 1), indicating how the future Josephine Street extension could be extended through the site to connect to Lafayette Avenue.

<u>Chapter 16.08 Subdivisions – Process and Standards</u> 16.08.025 Preliminary subdivision plat—Required plans.

The attached plans show the information required in this section to the extent that new development is proposed. Please refer to the set of plans for details.

Sheet 1 – Site Plan and "Shadow Plat" for future development of Parcel 1 Sheet 2 – Existing Conditions and Topography Plan, including Utilities

16.08.030 Preliminary subdivision plat-Narrative statement.

This narrative explains the proposal and addresses the relevant issues.

<u>Chapter 16.12 – Minimum Improvements and Design Standards for Subdivisions</u> 16.12.010 Purpose and general provisions.

All land divisions shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the City's public facility master plan and city design standards and specifications....

The proposed partition is required to be reviewed as a subdivision, as a single large undeveloped property will be created. A "shadow plat" has been prepared, as required by OCMC 16.16.10.B, and was designed to conform to requirements of this Chapter and of the R-8 Zoning District. No public improvements are proposed at this time, but will be constructed when required at the time of future residential development of Parcel 1 as a subdivision. Impacts of the church use were previously considered through CU 96-11 and CU 07-07.

16.12.015 Street design – Generally. Street design standards for all new development and land division shall comply with Chapter 12.04-Street Design Standards.

No new streets or street extensions are proposed at this time. A shadow plat has been provided showing a possible extension for Josephine Street. Compliance with Chapter 12.04-Street Design Standards can be provided at the time of future subdivision of Parcel 1.

16.12.020 - 16.12.035 Blocks

No new blocks are being created by the current proposal. A shadow plat has been provided showing how a future extension of Josephine Street through the site will improve

Page 6

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 91 of 166

vehicular, bicycle and pedestrian access while generally providing two tiers of lots and the appropriate lot depths for the residential land use that the property is zoned for.

16.12.040 - Building Sites.

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

The shadow plat provided indicates how appropriate residential lot sizes and building sites can be provided within Parcel 1 at the time when it is subdivided.

16.12.045 - Building Sites - Minimum Density.

All subdivision layouts shall achieve at least 80% of the maximum density of the base zone for the net developable area as defined in Section 17.04.

Section 17.06.040 Requirements Table and Section 17.10.040 Dimensional Standards, provide that the minimum lot area for lots in the R-8 zone is 8,000 square feet. The "net developable area" (as defined by 17.04.810), excluding undevelopable areas (0 square feet) and right-of-way (50,214 square feet), is 2.92 acres (127,091 square feet). The maximum density is 15.9 lots (127,091 square feet divided by the 8,000 square foot R-8 minimum lot size). The minimum density is 80% of the maximum density, or 12.7 lots.

The shadow plat provided for Parcel 1 is designed to satisfy the requirements of this section. The shadow plat shows the ability to create fourteen lots with an average lot area of 8,170 square feet and one tract for stormwater purposes.

Conclusion: The foregoing discussion of the proposed partition demonstrates that Parcel 1, the remainder parcel not being occupied by the church use, is suitable for future residential development. As no additional impacts will be created at this time, no public improvements are proposed or should be required. The remainder of the provisions of Chapter 16.12 concerning building setbacks, division of lots, easements, and public utility and roadway improvements shall be addressed and satisfied at the time when a development application for Parcel 1 is submitted to the City.

Title 17 Zoning

<u>Chapter 17.08 – R-8 Single-Family Dwelling District</u> 17.10.010 Designated. This residential district is designed for areas of single-family homes on lot sizes of approximately eight thousand square feet.

The shadow plat provided shows the ability to create fourteen lots with an average lot area of 8,170 square feet and one tract for stormwater purposes.

Page 7

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 92 of 166

Chapter 17.50 – Administration and Procedures

17.50.010 Purpose.

This chapter provides the procedures by which Oregon City reviews and decides upon applications for all permits relating to the use of land authorized by ORS Chapters 92, 197 and 227. These permits include all form of land divisions, land use, limited land use and expedited land division and legislative enactments and amendments to the Oregon City comprehensive plan and Titles 16 and 17 of this Code.

The provision of Chapter 17.50 apply to this land use application

17.50.050 Preapplication conference and neighborhood meeting.

A pre-application conference was held on December 1, 2010. A neighborhood meeting with the South End Neighborhood Association was held on March 18, 2010. No issues of concern were identified.

Also, to some degree the new design was brought before the entire City by the way of Measure 3-369 in the November 2, 2010 general election. Measure 3-369 asked the voters of Oregon City whether the City may convert a portion of the public park within the Oaktree Subdivision to allow construction of a public road and utilities. The Official Clackamas County 2010 General Election Voters' Pamphlet identified that in 2008 the City approved a partition sought by the Church with a condition of approval requiring an extension of Josephine Street through the Church parcel. As proposed by the church Josephine Street was to connect to South End Road. The Voters' Pamphlet then explained how the City transferred ownership of the South End Fire Station in 2008 to Clackamas Fire District #1 and that the Fire District was opposed to the road extension as originally proposed by the Church. This required an alternative alignment behind the fire station connecting to Lafayette Avenue. The Voter's Pamphlet also identified that the future Josephine extension would reduce the size of the park within the Oaktree Subdivision from approximately 21,800 square feet to 17,150 square feet.

Measure 3-369, the conversion of the public park within the Oaktree subdivision was approved in the November 2, 1010 election by 447 votes out of a total of 10,817 cast.

Conclusion: The proposed modification of MP 07-11 has been shown to satisfy the applicable standards and criteria of OCMC Chapters 16.08, 16.12, 16.16 & 17.08 and therefore should be approved.

2. Request for Modification of Conditional Use #CU 07-07

A religious institution is a use requiring a conditional use permit in the R-8 Zone per 17.10.030.I.

Conditional Use applications were approved for the United Methodist Church in 1996 (Files CU 96-11 and SP 96-42) and in 2008 (File CU 07-07), with findings demonstrating that the application had satisfied the applicable criteria. Those criteria are identical to the standards that would apply if a new application for conditional use were filed today. The Conditional Use approvals imposed conditions of approval requiring certain public facilities improvements some of what have been constructed and others would apply later when the residential portion of the site (proposed Parcel 1) would be developed.

The proposed modification of CU 07-07 is minor. The difference from the original application is that the size of the Church parcel, proposed Parcel 2, will be 4,000 square feet larger and will now measure 3.59 acres rather than 3.50 acres. Due to the changes with the ownership of South End Fire Station and how that has affected the future extension of Josephine Street, the three conditions of approval that were applied to CU 07-07 are all out of date and should be revised to reflect the current plan.

Criteria and standards for approval of a conditional use are as follows:

Chapter 17.56 - Conditional Uses

17.56.010 Permits - 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;

Page 9

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 94 of 166

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

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;

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

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.

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.

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.

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.

The proposed modification of CU 07-07 differs from the original application in that the size of the Church parcel, proposed Parcel 2, will now measure 3.59 acres rather than 3.50 acres. The additional area is being added to the parcel due to a change in the proposed alignment for the future extension of Josephine Street. In both the original partition application and the current application the proposed line dividing the two parcels aligns with the eastern right-of-way line of the future Josephine Street extension. Where the original application showed a minor jog in the alignment of Josephine Street that moved the street east, closer to the Church in order to avoid the South End Fire Station, the new

alignment continues straight until the 90 degree bend westward toward Lafayette Avenue. The additional area being added into the Church parcel is 4,000 square feet.

An addition of 4,000 square feet into the "religious institution use" area will have no negative affect on the usage of the site as a church. The alternative alignment now proposed for Josephine Street extension and the proposed connection to Lafayette Avenue will minimize the future changes that would have been necessary to the Church's site had Josephine Street connected directly to South End Road, ensuring that the church will remain compatible with the existing neighborhood. The future extension of Josephine Street will provide improved connectivity for the neighborhood north of the church. Parcel 1, the area of the site that will become available for future residential development, will continue to act as a buffer between the church activities and the existing neighborhoods to the north and west. The compatibility criterion of OCMC Section 17.56.010.A.4 is satisfied.

Conclusion: The proposed modification of CU 07-07 has been shown to satisfy the applicable standards of OCMC 17.56 for approval of conditional use permits. The modification should be approved and the three conditions of approval should be revised to reflect the current plan.

Conclusion

The foregoing narrative describes the proposed modifications to approved Files MP 07-11 and CU 07-07 that are being proposed in order to accommodate an alternative alignment for the future extension of Josephine Street across the United Methodist Church parcel. The proposed modification would reduce the size of Parcel 1, the parcel suitable for future residential development by 4,000 square feet and would increase the size of Parcel 2, the "religious institution use" parcel by a similar amount. Any public facilities needed, including an extension of Josephine Street to Lafayette Avenue, can be required as part of a future application for subdivision of Parcel 1.

This narrative and plans demonstrate that the proposal conforms to the City's applicable criteria and standards and therefore, the applications should be approved and the conditions of approval should be revised to reflect the current plan.

Supplemental Narrative for Modification of Conditional Use & Partition Approvals

Date	February 9, 2011
Applicant	United Methodist Church 18955 South End Road Oregon City, OR 97045 (503) 656-3433 Contact: Martha Wickliffe (503) 656-5835
Representative	Sisul Engineering. 375 Portland Avenue Gladstone, OR 97027 (503) 657-0188 Contact: Tom Sisul
Proposal	1. Modification of approved Minor Partition MP 07-11 to adjust the proposed partition line dividing Parcels 1 and 2 near South End Fire Station No. 17 in order to accommodate a new future street alignment for Josephine Street.
	 Modification of the Church's Conditional Use (and Conditional Use conditions of approval) to reflect the adjustment to the partition and having the size of the Church parcel (Parcel 2) increase by 4,000 sf and measure 3.59 rather than 3.50 acres.

Supplemental Narrative for Applicable Criteria and Standards

Chapter 12.04 Streets, Sidewalks and Public Places.

12.04.010 - Construction specifications—Improved streets. All sidewalks hereafter constructed in the city on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan. The curb shall be constructed at the same time as the construction of the sidewalk and shall be located as provided in the ordinance authorizing the improvement of said street next proceeding unless otherwise ordered by the city commission. Both sidewalks and curbs are to be constructed according to plans and specifications provided by the city engineer.

Public street curb and sidewalk improvements were previously constructed along the South End Road frontage of Parcel 2. No new curb or sidewalk improvements will be necessary for that parcel. Curb and sidewalk improvements will be necessary through Parcel 1 at the time of subdivision of that parcel. At the time of subdivision, plans can be provided to the City identifying curbs and sidewalks being constructed with the development to be constructed to city standards and widths required in the Oregon City TSP.

12.04.025 Street design-Curb cuts.

- A. To assure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, such as a cul-de-sac or deadend street, the decision maker shall be authorized to minimize the number and size of curb cuts (including driveways) as far as practicable where any of the following conditions are necessary:
 - 1. To provide adequate space for on-street parking;
 - 2. To facilitate street tree planting requirements;
 - 3. To assure pedestrian and vehicular safety by limiting vehicular access points; and
 - 4. To assure that adequate sight distance requirements are met.

Where the decision maker determines any of these situations exist or may occur due to approval of a proposed development, driveway curb cuts shall be limited to those widths as approved by the public works street standard drawings. Shared residential driveways shall be limited to twenty-four feet in width adjacent to the sidewalk and property line and may extend to a maximum of thirty feet abutting the street pavement to facilitate turning movements. Non-residential development driveway curb cuts in these situations shall be limited to those widths as approved by the public works street standard drawings or as approved by the city engineer upon review of the vehicle turning radii based on a professional engineer's design submittal.

B. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard

Page 2

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 98 of 166

surface for at least ten feet and preferably twenty feet back into the lot as measured from the current edge of street pavement to provide for controlling gravel tracking onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the city engineer.

- C. It shall be a code violation to drive vehicles, trailers, boats, or other wheeled objects across a sidewalk or roadside planter strip at a location other than an approved permanent or city-approved temporary driveway approach. Damages caused by such action shall be corrected by the adjoining property owner.
- D. It shall be a code violation to place soil, gravel, wood, or other material in the gutter or space next to the curb of a public street with the intention of using it as a permanent or temporary driveway. Damages caused by such action shall be corrected by the adjoining property owner.
- E. Any driveway built within public street or alley right-of-way shall be built and permitted per city requirements as approved by the city engineer.
- F. Exceptions. The public works director reserves the right to waive this policy in certain instances, if it is determined through written findings, that it is in the best interest of the public to do so. Examples of allowable exceptions include:
 - 1. Corner properties or properties adjacent to more than one street frontage provided at least one on-street parking space on each frontage remains available after the installation of a second driveway.
 - 2. Special needs for disabled access.
 - 3. When the size of the lot or the length of the street frontage is adequate to support more than one driveway, the installation of a driveway will result in the loss of no more than one on-street parking space and there is no shortage of on-street parking available for neighboring property.

In no case shall more than two driveways be allowed on any single family residential property.

- G. Appeals. Decisions made by the public works director are final unless appealed in writing to the transportation advisory committee for review and recommendation to the city commission.
- H. Failure to Comply. Failure to meet the intent of this section shall be a violation of this Code and enforceable as a civil infraction.

No new curb cuts are proposed as a part of this minor partition, however, new curb cuts will be necessary along the extension of Josephine Street through Parcel 1 at the time

Parcel 1 is subdivided. A plan detailing curb cut locations and widths along Josephine Street can be provided to the City at the time of subdivision.

12.04.045 Street Design-Constrained local streets and/or rights-of-way.

Any accessway with a pavement width of less than thirty-two feet shall require the approval of the city engineer, community development director and fire chief and shall meet minimum life safety requirements, which may include fire suppression devices as determined by the fire marshal to assure an adequate level of fire and life safety. The standard width for constrained streets is twenty feet of paving with no on-street parking and twenty-eight feet with on-street parking on one side only. Constrained local streets shall maintain a twenty-foot wide unobstructed accessway. Constrained local streets and/or right-of-way shall comply with necessary slope easements, sidewalk easements and altered curve radius, as approved by the city engineer and community development director.

No street improvements are proposed as a part of the current proposal to modify the approved minor partition and conditional use. Street improvements to extend Josephine Street through Parcel 1 and over the neighboring South End Fire Station and Oak Tree Park parcels will occur when Parcel 1 is subdivided. The alignment and street width of Josephine Street included in this application are conceptual and are included only to comply with the requirements for a "shadow plat". However, where the Josephine Street extension will leave the United Methodist Church property to the west and cross through the South End Fire Station and Oaktree Park parcels, the street width will be less than 32 feet wide. This portion of the Josephine Street extension will therefore be constrained, requiring approval of the City Engineer, Community Development Director and Fire Chief.

12.04.095 Street Design-Curb cuts.

To assure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, such as a cul-de-sac or dead-end street, the decision maker shall be authorized to minimize the number and size of curb cuts (including driveways) as far as practicable where any of the following conditions are necessary:

- A. To provide adequate space for on-street parking;
- B. To facilitate street tree planting requirements;
- C. To assure pedestrian and vehicular safety by limiting vehicular access points; and
- D. To assure that adequate sight distance requirements are met.

Where the decision maker determines any of these situations exist or may occur due to approval of a proposed development, single residential driveway curb cuts shall be limited to twelve feet in width adjacent to the sidewalk and property line and may extend to a maximum of eighteen feet abutting the street pavement to facilitate turning movements. Shared residential driveways shall be limited to twenty-four feet in width adjacent to the sidewalk and property line and may extend to a maximum of thirty feet

Page 4

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 100 of 166

abutting the street pavement to facilitate turning movements. Non-residential development driveway curb cuts in these situations shall be limited to the minimum required widths based on vehicle turning radii based on a professional engineer's design submittal and as approved by the decision maker.

No new curb cuts are proposed as a part of the current application to revise the approved minor partition and conditional use. Curb cuts will be necessary along the new portion of Josephine Street that will be constructed when Parcel 1 is subdivided. A plan showing the locations and widths for curb cuts along Josephine Street can be provided to the City at the time of development of Parcel 1.

12.04.170 Street design-Purpose and general provisions.

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

The current proposal is to modify earlier approvals for a minor partition and conditional use of the United Methodist Church property. The minor partition would divide the church property into one parcel occupied by the church and a second vacant parcel for future residential development. No new development will occur at this time and the street alignment and width included in this application are for shadow platting purposes. Review of the proposed street design for conformance with City policies, standards, master plans and specifications can occur when a formal street design for Josephine Street is proposed along with an application for subdivision of Parcel 1.

12.04.175 Street design-Generally.

The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. Where location is not shown in the development plan, the arrangement of streets shall either:

Page 5

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 101 of 166

- A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;
- B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Access control in accordance with section 12.04.200 shall be required to preserve the objectives of street extensions.

Conformance with the criteria above shall be reviewed when a street design for Josephine Street is included with an application for subdivision of Parcel 1.

12.04.180 Street design-Minimum right-of-way.

All development shall provide adequate right-of-way and pavement width. Adequate right-of-way and pavement width shall be provided by:

- A. Complying with the street design standards contained in the table provided in Chapter 12.04. The street design standards are based on the classification of streets that occurred in the Oregon City Transportation System Plan (TSP), in particular, the following TSP figures provide the appropriate classification for each street in Oregon City: Figure 5-1: Functional Classification System and New Roadway Connections; Figure 5-3: Pedestrian System Plan; Figure 5.6: Bicycle System Plan; and Figure 5.7: Public Transit System Plan. These TSP figures from the Oregon City Transportation System Plan are incorporated herein by reference in order to determine the classification of particular streets.
- B. The applicant may submit an alternative street design plan that varies from the street design standards identified above. An alternative street design plan may be approved by the city engineer if it is found the alternative allows for adequate and safe traffic, pedestrian and bicycle flows and transportation alternatives and protects and provides adequate multi-modal transportation services for the development as well as the surrounding community.

Conformance with the criteria above shall be reviewed when a street design for Josephine Street is included with an application for subdivision of Parcel 1.

12.04.185 Street design-Access control.

A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the city as a city controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property.

B. The city may grant a permit for the adjoining owner to access through the access control.

Page 6

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 102 of 166

C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."

D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."

Access control shall be reviewed at the time of dedication of new street right-of-way. No street right-of-way will be dedicated with the current application to modify an approved minor partition and conditional use.

12.04.190 Street design-Alignment. The centerline of streets shall be:

- A. Aligned with existing streets by continuation of the centerlines; or
- B. Offset from the centerline by no more than ten feet, provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the offset intersection will not pose a safety hazard.

Conformance with the criteria above shall be reviewed when a street design for Josephine Street is included with an application for subdivision of Parcel 1.

12.04.195 Minimum street intersection spacing standards.A. All new development and redevelopment shall meet the following Public Street Intersection Spacing Standards:

	Distance in Feet between Streets of Various Classifications										
	Between Arterial and Arterial	Between Arterial and Collector	Between Arterial and Neighbor- hood Collector	Between Arterial and Local Street	Between Collector Street & Collector Street	Between Collector Street and Neighborhood Collector	Between Collector and Local Street	Between Neighborhood Collector & Local Street	Between two adjacent Local Streets		
Measured along an Arterial Street	1320	800	600	300	600	300	150	150	150		
Measured along a Collector Street	800	80	600	300	600	300	150	150	150		
Measured along a Neighbor- hood Collector Street	800	600	300	300	300	150	150	150	150		
Measured along a Local Street	600	600	300	300	300	150	150	150	150		

Table 12.04.040—Public Street Intersection Spacing Standards

or

B. A lesser distance between intersections may be allowed, provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the reduction in intersection spacing will not pose a safety hazard.

South End Road is identified as an arterial street, while Lafayette Avenue and Josephine Street are identified as local streets. As measured along the centerline of Lafayette Avenue, the distance from the proposed Josephine/Lafayette intersection to the South End/Lafayette intersection is approximately 230 feet, less that the intersection spacing standard identified in Table 12.04.040, above. Lancaster Engineering, the applicant's traffic engineer, has investigated the intersection spacing needs and has determined that the intersection spacing as proposed is sufficient to operate safely and efficiently. (Please see Page 4 of Lancaster Engineering's report dated March 16, 2011.) Therefore the intersection spacing and existing features of Lafayette Avenue, including the landscape median, will allow for a reduction in the intersection spacing as identified in Table 12.04.040, without creation of a safety hazard between the intersections.

12.04.200 Street design-Constrained local streets and/or rights-of-way. Any accessway with a pavement width of less than thirty-two feet shall require the approval of the city engineer, community development director and fire chief and shall

Page 8

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 104 of 166

meet minimum life safety requirements, which may include fire suppression devices as determined by the fire marshal to assure an adequate level of fire and life safety. The standard width for constrained streets is twenty feet of paving with no on-street parking and twenty-eight feet with on-street parking on one side only. Constrained local streets shall maintain a twenty-foot wide unobstructed accessway. Constrained local streets and/or right-of-way shall comply with necessary slope easements, sidewalk easements and altered curve radius, as approved by the city engineer and community development director.

No street improvements are proposed with the current proposal for modification of an approved minor partition and conditional use. Street improvements extending Josephine Street through Parcel 1 and over the neighboring South End Fire Station and Oaktree Park parcels will be necessary when Parcel 1 is subdivided. The alignment and street width for Josephine Street shown with this application are conceptual and are included only to comply with the requirements for a "shadow plat". However, where the Josephine Street extension will leave the United Methodist Church property and cross the South End Fire Station and Oaktree Park parcels, the street width will be less than 32 feet wide. This portion of the Josephine Street extension will therefore be constrained, requiring approval of the City Engineer, Community Development Director and Fire Chief.

12.04.205 Intersection level of service standards.

When reviewing new developments, the City of Oregon City requires all relevant intersections to be maintained at the minimum acceptable Level Of Service (LOS) upon full build-out of the proposed development. The minimum acceptable LOS standards are as follows:

- A. For signalized intersection areas of the city that are located outside the Regional Center boundaries a LOS of "D" or better for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of critical movements.
- B. For signalized intersections within the Regional Center boundaries a LOS "D" can be exceeded during the peak hour; however, during the second peak hour, LOS "D" or better will be required as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0.
- C. For unsignalized intersection throughout the city a LOS "E" or better for the poorest approach and with no movement serving more than twenty peak hour vehicles operating at worse than LOS "F" will be tolerated for minor movements during a peak hour.

Conformance with the criteria above shall be reviewed when a street design for Josephine Street is included with an application for subdivision of Parcel 1.

12.04.210 Intersection angles.

Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than

Page 9

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 105 of 166

eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the city engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point.

Conformance with the criteria above shall be reviewed when a street design for Josephine Street is included with an application for subdivision of Parcel 1.

12.04.215 Street design-Off-site street improvements.

During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the city's applicable planned minimum design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.

At the time when Parcel 1 is to be subdivided, Josephine Street will be extended from where it currently terminates north of the United Methodist Church property, across Parcel 1 and then to the west across the South End Fire Station and Oaktree Park parcels to an intersection with Lafayette Avenue. The portion of Josephine Street located west of the United Methodist Church property will be outside of the subdivision boundary. No other off-site improvements are anticipated, however, this decision shall be reviewed by the City at the time that development of Parcel 1 is being proposed.

12.04.230 Street design-Street names.

Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names shall conform to the established standards in the city and shall be subject to the approval of the city.

It is anticipated that no new street names will be necessary, however, this shall be reviewed with an application for subdivision of Parcel 1.

12.04.235 Street design-Grades and curves.

Grades and center line radii shall conform to the standards in the city's street design standards and specifications.

Page 10

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 106 of 166

Conformance with the city's design standards and specifications for new streets shall be reviewed when a street design is included with a development application for Parcel 1.

12.04.245 Street design-Pedestrian and bicycle safety.

Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.

All crosswalks shall include a large vegetative or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The decision maker may approve an alternative design that achieves the same standard for constrained sites or where deemed unnecessary by the city engineer.

These design elements can be reviewed when a street design for Josephine Street is included with an application for subdivision of Parcel 1.

12.04.265 Street Design-Planter strips.

All development shall include vegetative planter strips that are five feet in width or larger and located adjacent to the curb. This requirement may be waived or modified if the decision maker finds it is not practicable. The decision maker may permit constrained sites to place street trees on the abutting private property within 10 feet of the public right-of-way if a covenant is recorded on the title of the property identifying the tree as a city street tree which is maintained by the property owner. Development proposed along a collector, minor arterial, or major arterial street may use tree wells with root barriers located near the curb within a wider sidewalk in lieu of a planter strip, in which case each tree shall have a protected area to ensure proper root growth and reduce potential damage to sidewalks, curbs and gutters.

To promote and maintain the community tree canopy adjacent to public streets, trees shall be selected and planted in planter strips in accordance with Chapter 12.08, Street Trees. Individual abutting lot owners shall be legally responsible for maintaining healthy and attractive trees and vegetation in the planter strip. If a homeowners' association is created as part of the development, the association may assume the maintenance obligation through a legally binding mechanism, e.g., deed restrictions, maintenance agreement, etc., which shall be reviewed and approved by the city attorney. Failure to properly maintain trees and vegetation in a planter strip shall be a violation of this code and enforceable as a civil infraction.

Planter strip widths and street tree locations are some of the elements of the street design that shall be determined and approved with the Josephine Street design included with an application for subdivision of Parcel 1.

Page 11

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 107 of 166

Chapter 12.08 - Public and Street Trees

12.08.015 Street tree planting and maintenance requirements. All new construction or major redevelopment shall provide street trees adjacent to all street frontages. Species of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List or be approved by a certified arborist. If a setback sidewalk has already been constructed or the Development Services determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed within the front yard setback, exclusive of any utility easement.

- A. One street tree shall be planted for every thirty-five feet of property frontage. The tree spacing shall be evenly distributed throughout the total development frontage. The community development director may approve an alternative street tree plan if site or other constraints prevent meeting the placement of one street tree per thirty-five feet of property frontage.
- B. The following clearance distances shall be maintained when planting trees: 1. Fifteen feet from streetlights;
 - 2. Five feet from fire hydrants;
 - 3. Twenty feet from intersections;
 - 4. A minimum of five feet (at mature height) below power lines.
- C. All trees shall be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications.
- D. All established trees shall be pruned tight to the trunk to a height that provides adequate clearance for street cleaning equipment and ensures ADA complaint clearance for pedestrians.

Street tree locations along the extension of Josephine Street shall be determined and approved with the street design for Josephine Street proposed with an application for subdivision of Parcel 1.

12.08.020 Street tree species selection.

The community development director may specify the species of street trees required to be planted if there is an established planting scheme adjacent to a lot frontage, if there are obstructions in the planting strip, or if overhead power lines are present.

Street tree species for new streets within the development can be determined with the design for Josephine Streets included with the subdivision application or construction documents for development of Parcel 1.

Page 12

Page 108 of 166
12.08.035 Public tree removal.

Existing street trees shall be retained and protected during construction unless removal is specified as part of a land use approval or in conjunction with a public facilities construction project, as approved by the community development director. A diseased or hazardous street tree, as determined by a registered arborist and verified by the City, may be removed if replaced. A non-diseased, non-hazardous street tree that is removed shall be replaced in accordance with the Table 12.08.035.

All new street trees will have a minimum two-inch caliper trunk measured six inches above the root crown. The community development director may approve off-site installation of replacement trees where necessary due to planting constraints. The community development director may additionally allow a fee in-lieu of planting the tree(s) to be placed into a city fund dedicated to planting trees in Oregon City in accordance with Oregon City Municipal Code 12.08.

Although the exact alignment for Josephine Street will not be decided until an application for subdivision of Parcel 1 is submitted to the City for review, it does not appear as though any existing street trees will have to be removed in order to install the public facilities needed to develop Parcel 1 as a residential subdivision. The need to remove public street trees can be verified at the time of development of Parcel 1.

Chapter 17.41 Tree Protection Standards.

17.41.020 Tree protection-Applicability.

- 1. Applications for development subject to Chapters 16.08 or 16.12 (Subdivision or Minor Partition) or Chapter 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments.
- 2. For public capital improvement projects, the city engineer shall demonstrate compliance with these standards pursuant to a Type II process.
- 3. Tree canopy removal greater than twenty-five percent on sites greater than twenty-five percent slope, unless exempted under Section 17.41.040, shall be subject to these standards.
- 4. A heritage tree or grove which has been designated pursuant to the procedures of Chapter 12.08.050 shall be subject to the standards of this section.

The current proposal will modify an approved minor partition and conditional use for the United Methodist Church. The Minor Partition of the church property is subject to Chapter 16.12 (Minor Partitions). Therefore, per criterion #1 above, the Tree Protection Standards of Chapter 17.41 apply.

Page 13

Page 109 of 166

17.41.050 Same-Compliance Options.

Applicants for review shall comply with these requirements through one or a combination of the following procedures:

- A. Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to Sections 17.41.060 or 17.41.070. All replanted and saved trees shall be protected by a permanent restrictive covenant or easement approved in form by the city.
- B. Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to Sections 17.41.080—17.41.100; or
- C. Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to Sections 17.41.110—17.41.120; or
- D. Option 4—Cash-in-lieu of planting pursuant to Section 17.41.130.

A regulated tree that has been designated for protection pursuant to this section must be retained or permanently protected unless it has been determined by a certified arborist to be diseased or hazardous, pursuant to the following applicable provisions.

The community development director, pursuant to a Type II procedure, may allow a property owner to cut a specific number of trees within a regulated grove if preserving those trees would:

1. Preclude achieving eighty percent of minimum density with reduction of lot size; or

2. Preclude meeting minimum connectivity requirements for subdivisions.

The current proposal will modify an earlier approved minor partition and conditional use for the United Methodist Church. The minor partition is intended to divide the church property into two parcels, one to be occupied by the church (Parcel 2) and a second vacant parcel (Parcel 1) that can be subdivided at a later date.

No site, street or utility improvements will occur with the current proposal. The proposal to partition the property and modify the conditional use will simply draw a line on a map dividing the church property into two parcels. Since there will be no site improvements, no trees will be affected and all healthy trees will remain when partitioned. Following the partition, the undeveloped parcel may be sold to a developer interested in developing a residential subdivision. Street and utility improvements extending Josephine Street through Parcel 1 and over the neighboring South End Fire Station and Oaktree Park parcels will occur when Parcel 1 is subdivided.

Although the applicant will save all healthy trees through the minor partition process, these trees cannot become regulated trees designated for permanent protection, or this may impact the ability of the site to achieve minimum density and to provide the needed connectivity for the neighborhood. The review for the removal and the permanent retention of trees should be deferred and considered when the subdivision of Parcel 1 is proposed. At that time, the street alignment will be known, construction areas can be

Page 14

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 110 of 166

determined, and the possible establishment of dedicated tree preservation tracts or restrictive covenants could be considered.

A condition of approval with the minor partition requiring that "all healthy trees located on the site shall remain until the City has the opportunity to review a future development proposal for compliance with Chapter 17.41", would be consistent with the chapter intent identified in Section 17.41.010, Protection of trees-intent. The first sentence of that section states, "The intent of this chapter is to ensure that new development is designed in a manner that preserves trees to the maximum extent practicable." A condition of approval along the line of that mentioned above would preserve all trees onsite until a development proposal were submitted and then the City could review that future proposal to determine if the future proposal is saving the trees to the maximum extent practicable.

Conclusion

The foregoing narrative addresses applicable provisions of Oregon City Municipal Code Sections 12.04, 12.08 and 17.41. This supplemental narrative, together with the narrative and drawings provided earlier, describe the proposed modifications to approved Files MP 07-11 and CU 07-07. Both modifications are being proposed in order to accommodate an alternative alignment for the future extension of Josephine Street across the United Methodist Church parcel.

The narrative and plans demonstrate that the proposal conforms to the City's applicable criteria and standards and therefore, the applications should be approved and the conditions of approval should be revised to reflect the current plan.

Page 15

Page 111 of 166



The application will not be deemed complete without all of the requirements proceeding.

City of Oregon City, Community Development Department, 320 Warner Milne Road, P.O. Box 3040, Oregon City, OR 97045, (503) 657-0891

www.orcity.org

. 🖌 Complete Application Form

2. / Narrative

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;

3. 🖌 Code Criteria

A narrative explaining all aspects of the proposal in detail and addressing each of the criteria listed in Chapter 17.49, 17.50 and any other applicable section of the Oregon City Municipal Code.

4. 🖌 Site Plan Drawings

Showing Existing Conditions/Uses and Proposed Conditions/Uses

5. ____ Architectural Drawings

Including building elevations and envelopes, if architectural work is proposed.

- 6. / Pre-Application Conference Summary Sheet
- 7. ____ Additional Information or Reports (If Required in Pre-Application Conference)
- 8. / Sheet Summary of the Meeting with the Applicable Neighborhood Association
- 9. A Current Preliminary Title Report for the Subject Property(ies)
- Mailing Labels for Owners Within 300 Feet of the Subject Site The names and addresses of property owners within 300 feet of the site indicated on the most recent property tax rolls.
- 11. ___ Copies Seventeen (17) copies of all information, reports, and drawings (full-sized and 8.5" by 11") pertaining to this application.
- 12. Electronic Version of All Application Materials
- 13. ____ All Required Application Fees

Conditional Use Application Submittal Checklist



The application will not be deemed complete without all of the requirements proceeding. City of Oregon City, Community Development Department, 320 Warner Milne Road, P.O. Box 3040, Oregon City, OR 97045, (503) 657-0891 www.orcity.org

A Completed Application Form

✓ A List of All Permit Approvals Sought by the Applicant

. 🗸 Narrative

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 and any other information indicated by staff at the preapplication conference as being required.

4. 🖌 Review Criteria

A response addressing each section of Chapters 16.16, 16.12 and any other applicable chapter identified in the Oregon City Municipal Code.

5. <u>Soundary Survey</u>

Prepared by an Oregon Professional Land Surveyor (Including the Surveyor's Name and Address)

6. 🗸 Site Plan

- □ The map scale and true north point
- Approximate courses and distances of all parts of the partition
- Around the periphery of the proposed partition, the boundary lines and names of adjacent partitions and subdivisions, streets and tract lines of adjacent parcels of property
- The location, width and names of all existing or platted streets, other public ways and easements within the proposed partition, and other important features, such as the general outline and location of permanent buildings, pedestrian/bicycle accessways, watercourses, power lines, telephone lines, railroad lines, gas lines, water lines, municipal boundaries and section lines
- All areas designated as being within the flood management overlay district regulated under OCMC Chapter 17.42
- □ All areas identified as unstable slopes and regulated under OCMC Chapter 17.44
- □ All water quality resource areas designated and regulated under the water quality resource area overlay district in OCMC Chapter 17.49

7. ___ Partition Connectivity Analysis

Prepared by a transportation engineer licensed by the state of Oregon which describes the existing and future vehicular, bicycle and pedestrian connections between the proposed partition and existing or planned land uses on adjacent properties. The partition connectivity analysis shall include shadow plats of adjacent properties demonstrating how lot and street patterns within the proposed partition will extend to and/or from such adjacent properties and can be developed meeting the existing Oregon City Municipal Code design standards.

- 8. ____ Tree Removal and Mitigation Plan (In Accordinance with OCMC Chapter 16.12.310)
- 9. / Pre-Application Conference Summary Sheet
- 10. Additional Information or Reports (If Required in Pre-Application Conference)
- 11. Summary of the Meeting with the Applicable Neighborhood Association (Recommended)

Minor Partition Application Submittal Checklist

- 12. Preliminary Storm Calculations (If Water Quality Detention is Required)
- 13. Legal Descriptions of the Parent Parcel(s) and the Resulting Parcels to be Created
- 14. ____ Copies of Proposed Deeds for the Parcels to be Created
- 15. ____ Receipt from the County Assessor's Office Indicating that all taxes each of the subject sites are paid in full for the preceding tax year.
- 16. A Current Preliminary Title Report for the Subject Property(ies)
- 17. ____ Mailing Labels for Owners Within 300 Feet of the Subject Site The names and addresses of property owners within 300 feet of the site indicated on the most recent property tax rolls.
- Copies Twelve (12) copies of all information, reports, and drawings (full-sized and 8.5" by 11") pertaining to this application.
- 19. ____ Electronic Version of All Application Materials
- 20. ____ All Required Application Fees

Incomplete Applications will be Rejected

Minor Partition Application Submittal Checklist



991 to 311 9969



Delivered to you by Clackamas County Surveyor on 12-28-2010



4a. accommodate MD 11-01: Modification extension ď ç Josephine approved planning files Street, reduce S parcel size P 00-26, CU 00-05 Ś

đ

Page \rightarrow 17 ç _ ດ õ

2001-032 192

Delivered to you by Clackamas County Surveyor on 12-28-2010



Page 118 of 166

2001-032 242

City of Oregon City Pre-Application Conference Summary



Pre-application conferences are required by Section 17.50.030 of the City Code, as follows:

- (A) PURPOSE: The pre-application conference is to provide the applicant the necessary information to make an informed decision regarding their land use proposal.
- (B) A pre-application conference is required for all land use permits.
- (C) Time Limit: A pre-application conference is valid for a period of six (6) months.
- (D) An omission or failure by the Planning Division to provide an applicant with relevant information during a pre-application discussion shall not constitute a waiver of any standard, criterion, or requirement of the City of Oregon City. Information given in the conference is subject available information and may be subject to change without notice. *NOTE: The subsequent application may be submitted to any member of the Planning Staff.*

	E-APP #/ DATE:			
AF	PPLICANT:			
SI	TE ADDRESS:			
	OPERTY DESCRIPTION:			
	AFF: OPOSED USE/ACTIVITY:			
	FORMATION NECESSARY TO BEGIN DEVELOPMENT: This listing of information	does not prech	ude the	Community
	velopment Department or hearings body from requesting additional data nec			
an	d/or decision regarding the proposed activity.			
	1. PLANNING			
	Zoning/ Setbacks	in in in in		
	Is the Site in a Water Resource Overlay District? (Yes or No)			the standard
	Neighborhood Meeting Required: List of Minimum Required Planning Processes		te CU mo	dification apps are
	List of Minimum Required Flamming Flocesses	required: 1) Modify CU 0	00-05 (Fire	e Station Site Plan) –
	1. Conditional Use – (Modification - 50% of App. fee ≯	required to char	nge acces	s location and parcel
	OCMC 17.50 – Administrative Processes	future Site Plan		ition of Approval for
	OCMC 17.56 – Conditional Uses	2) Modify CU 0	07-07: Par	cel Size and change of
		access location	i, condition	ns of approval.
	2. Minor Partition – (Modification – 50% of App. Fee)			Modifies File MP
	OCMC 17.41 – Tree Protection Standards			07-11
	OCMC 16.12 – Minimum Improvements and Design Standards f	or Land Divis	sions	
	OCMC 16.16 - PartitionsProcess And Standards			
	OCMC 12.04 - Streets, Sidewalks and Public Places			
	OCMC 12.08- Public and Street Trees			
	3. Site Plan and Design Review –(Modification – 50% of App. fe		Mayba	aubmitted at time
	OCMC 17.50 – Administrative Processes			submitted at time ication of MP, or
	OCMC 17.62 – Site Plan and Design Review			r subdivision
	UUVUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUU			ment application.

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 119 of 166

3. Continued - Site Plan and Design Review –(Modification – 50% of App. fee)

- □ OCMC 17.52 Off Street Parking
- □ OCMC 17.41 Tree Protection
- □ OCMC 12.04 Streets, Sidewalks and Public Places
- □ OCMC 12.08 Public and Street Trees

Complete dedication of ROW across Oak Tree Park prior to or concurrent with modification application. Apply before February 8, 2011 to avoid Expiration of current 1 yr Extension.

2. ENGINEERING

A. Grading: _____n/a_____

Comments:

- B. Drainage: ____n/a_____
- C. Sanitary Sewer: Ensure the site will drain across new road to Lafayette._____
- D. Water: ____n/a__
- E. Right-of-Way Dedication/Easements: Approp ROW in MP plat____
- F. Street Improvements (including continuation of existing streets within subdivisions): <u>Layout</u> seems to line up properly with future subdiv and fire lane to Lafayette.
- G. Special Analysis (traffic study, geotechnical study, EIS): Modify COA 2 of CU07-07 as nec
- H. Development Impact Statement required with Subdivision applications.
- I. TSP compliance (Connectivity, Street Widths, etc.):_____

Other: _____

	3. BUILDIN	IG		
			N/A	
Α.	Proposed Co	onstruction Type	:	
В.	Number of S	tories:		
C.				
D.	Number of E	Buildings:		
Ε.	Type of Occu	upancy:		
F.	Fire Sprinkle	rs:		
G.	Valuation (e	stimate): \$		
Н.	Fire/Life Safe	ety Required:	Yes	No
	4. FIRE	Coordinate subdivision		rning radius of future street in
A.	Fire Flow Re	quirements (gall	ons per minute):	
В.				
C.				
D.	0.1			

NOTICE TO APPLICANT: A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department . A copy will be given to the applicant. *If the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required. Our Web Site is <u>www.orcity.org</u>*

2

	and 5	iouth End Neighbo	mood Association	5	
N.Assn	Х	Last name	First name	address	phone
HG		Allen	Jim	11560 Shelby Rose	503 656-3586
HG		Chelson	Edna 8	11524 Shelby Rose Dr.	503 557-7212
SE		Hada	Patrick	314 Julie Ann Dr	503 657-1509
HG		Hill	David	19494 Westling Dr	503 656-7423
HG		Hogan	Kathy	19721 S. Central Pt	503 657-9435
HG		luggert	Dick	19384 Hazel Grove Dr	
SE		Kennedy	Delbert	19119 Lot Whitcomb Dr	503 656-5824
SE		Kennedy	Inez	19119 Lot Whitcomb Dr	503 656-5824
SE		Mai	Darlene	18840 Hein Ct	503 557-8581
SE		McConnel	Bill	18797 Lassen Ct	650-0619
HG		McKinney	Sharon	19633 Renee Way	503 655-2997
HG		McKinney	Tom	19633 Renée Way	503 655-2997
SE		Militante	M. Jeanne	11615 S. Salmonberry	503 656-3643
HG		Nuttall	Marilyn	19388 Vincent Dr	503 657-7058
HG		O'Brien	Tom	19364 S. Hazel Grove	
SE		Rhodes	Dorothy	124 Madrona Ct	503 657-6512
SE		Rickenbach	David	131 Warner Parrott	
SE		Rickenbach	Ingra	131 Warner Parrott	
SE		Roberts	Kay	110 Madrona Ct	
HG		Schrader	Judy	19465 Westling	557-8414
SE		Stewart	Norm	924 Clearbrook	
HG		Westbrook	Marti	19465 Westling	
S£		Williams	John	1176 Sunny Lane	503 657-2868
SE		Williams	Joan	1176 Sunny Lane	503 657-2868
Guests from	n Tov	er Vista Neighbori	hood Association:		
TV		Batchelor	Harriet	19347 Vincent Dr	503 722-9882
TV		Fishback	Gill	19330 Spring Valley Dr	503 657-1327
TV.		Norton	George	19326 S Spring Valley	
TV.		Norton	Pat	19326 S Spring Valley	
Guests:		Gifford	William		
		Day	Mike	OCPD	
		Mumm	Betty		
		Watts	Ray		
		Wickliffe	Martha	OC United Methodist Ch	urch
		Sisul	Tom	OC United Methodist Cl	nurch
				375 Portland, Gladstone	
		Nicita	lim	OC Commissioner	

CHICAGO TITLE INSURANCE COMPANY 10135 SE Sunnyside Road Suite 200 Clackamas, OR 97015 Phone (503) 786-3940 Fax (503) 653-7833 = METROS CAN PROPERTY PROFILE = Clackamas (OR)

		0'	WNERSHIP I	FORMATION					
	Parcel Number	: 00747437		TRSQ	: 03S	-01E	-01	-SE -	sw
		: 31E01DC00400		TIME	. 050	- UID	01	00	• • •
	Owner	: United Methodis	t Ch Ore Ctv						
	CoOwner		con ore etj						
	Site Address	: 18955 S End Rd	Oregon City 97	045					
	Mail Address	: 811 Center St Or							
	Telephone	: Owner : 503-656		Tenant :					
					2				
÷.,								•	
		SAL	ES AND LOAN	INFORMATION	Į				
	~ ~ *		÷						
	Transferred	: 01/27/1997		Loan Amour	ut :				
	Document #	: 0097-06150		Lender	:				
•	Sale Price	: \$450,000		Loan Type	:				
	Deed Type % Owned	: Warranty		Interest Rate					
	% Owned	: 100		Vesting Type					
		Lagrage							
	Market Land	: \$135,113	MENT AND T	AX INFORMATI					
	Market Structure			Exempt Type			3		
	Market Total	: \$135,113	3	Levy Code		62002			
	% Improved	:		M-5 Millage Rate		6.4276			
	06-07 Taxes	: \$1,352.96	1.00	in o minugo mun		0			
	Assessed Land			- Max Assd La	ind :				
	Assessed Strctr	:	10 m	Max Assd St	rctr :		,		
	Assd Fire Patrol	:		Max Assd Fi	rePtl:				
	Assessed Total	: \$83,122		Max Assd To		,			
-			8		•				
	,		-		-		~		
	••	I	PROPERTY D	ESCRIPTION	1 4				
,	Census	: Tract : 226.02		Block : 2					
	Map Grid	: 717 A4							
•	Neighborhd Cd	:							
	Sub/Plat	:				14			
		: 900 Contiguous I	Property						
	Land Use	: 201 Com,Comme							
<i>y</i>	Legal	: PARTITION PL.							
		: SEE EXEMPT P	ORTION 00400)El	•				
		:	÷		••		3		
							Profile-	Page 1 of	2

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 122 of 166

1

08/14/2007 14:03 FAX	5036537833	Chigago Title	Cust Svc →	MongoFax	2 003/01	10
					4	
	Clac	E INSURANC Junnyside Road S kamas, OR 9701 6-3940 Fax (50	Suite 200	NY		
	= METROSCAN	PROPERT Clackamas (O		LE =	•	
Parcel Numi	ber : 00747437	Refe	erence Parcel : 31	E01DC00400		
	PROPER	RTY CHARACTER	USTICS			



Page 123 of 166



Page 124 of 166



Page 125 of 166

08/14/2007 14:04 FAX 5036537833

006/010

5 į, STEWART TITLE AFTER RECORDING RETURN TO: UNITED HETRODIST CHURCH, OREGON CIT 811 CENTER STREET OREGON CITY, OR 97045 UNTIL FURTHER NOTICE. ALL FUTURE TAX STATEMENTS SHALL HE SENT_TO: UNITED METHODIST CHURCH, GREGON CIF 811 CENTRE STREET OREGON CITY, OK 97045 TAX ACCOUNT NO.: R31E01DC00400 STATUTORY WARRANTY DEED 20786 TUC. JACOUELYN N. LARSON and JILL DIANNE WOOD, AND GERI LEE JUHNSON AND RICHARD OWEN LARSON . ALL AS TENANTS IN COMMON, Grantor, conveys and warrants to UNITED METHODIST CHURCH, ORBOON CITY, OREGON . A NUN PROFIT ORGANIZATION. Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in CLACKAMAS County, Oregon, to-wit: SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF The said property is free from encumbrances EXCRPT: Rights of the public in and to any portion of the herein described premises lying within the boundaries of Harket Road \$23; Electrical lines and telephone lines granted to Portland General Electric Company, 9-4-52, in Book 460, page 406. 57 .0 Sigwart THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT. THE PERSON ACQUIRING FEE TITLE TO THE FROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAUGUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30:930. The true consideration for this conveyance is \$450.000.00. day of January, 1997. Dated this 20 DTANNE 20 Uni STATE OP 0051 COUNTY OF Pierce Dalin 1997, personally appeared the above names, and and acknowledged the foregoing 20 ARSON AND JACOUELYN N. nt to be their yoluntary 'n and deed ler for tary Public for e State of Gregon 11:1 Light

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 126 of 166

11

1

6

į.

ľ

٦, è

> . 1.

> > 34

EXHIBIT "A" - 1 Legal Description: Part of the A. F. Hedges D.L.C. In Township 3 South, Range 1 East of the Williamette Meridian, in the County of Clackamas and State of Oregon, described as follows: ¥

Beginning at a stone 8.27 chains North 44° East from the Southeast corner of said claim and running thence North 43° West tracing the North line of a tract of land owned by H. Joelinke 1023.66 feel; thence East 1411.66 feet to the East boundary of said claim; thence South 5.77 feet to the angular corner of said claim; thence South 44° West 994.40 feet to the place of beginning.

EXCEPTING therefrom the following:

Beginning at a point in the West boundary of the M. M. McCarver D.L.C. In Section 1, Township 3 South, Range 1 East, Willamette Melidian, in the County of Clackamas and State of Xregon, that is 1256,36 feet South of the Northwest corner thereof; thence South 5.77 feet running thence South 44° CO' Wost, 192.16 feet; thence West, 498.31 feet; thence North, 144.00 feet; thence East 632.00 feet to the true place of beginning. r

EXCEPT that part in the public roads.

FURTHER EXCEPTING THEREFROM the following described property:

A part of the A.F. Hedges Donation Land Claim in Section 1. Township 3 South, Range 1 East of the Williametic Meridian, in the City of Oregon City, County of Clackamas and State of Oregon, being a portion of that certain tract of land conveyed to Richard O. and Jacquelyn N. Larson, husband and wife, by deed recorded in Volume 636, page 776, Deed Records, described as follows:

Beginning at the most Northerly corner of Lot 8, Block 1, OAKTREE as said subdivision is platted and recorded in volume 64, page 12, Book of Town Plats for Clackamas County, Oregon; thence Northeasterly along the arc of a 108.27 footradius curve to the left (the chord of which bears North 93'93'94'' East 24.61 feet) a distance of 24.46 feet to a point on the North boundary line of the Larson track thence North, 86'42'43' West along said North line, 34.88 feet to a point on the Northeasterly boundary line OAKTREE subdivision; thence South 43'45'26'' East along said subdivision boundary line, 27.52 feet to the point of becinning. beginning.

PAGE 4 of Pretminary Commitment Order No. 66120786-CI

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 127 of 166

08/14/2007 14:05 FAX 5036537833 Chigago Title Cust Svc → MongoFax 008/010 STATE OF COUNTY OF On______, 199_, personally appeared the above named and and acknowledged the foregoing instrument to be their voluntary act and deed. Notary Public for the State of Oregon My commission expires STATE OF THE noto 5 1119 COUNTY OF Thirsto ALB; Ón 1992, personally appeared and and ackrowledged voluntary act and dead. instrument the foreg La be th Pati This Public for Notary Hits the State of Gregon Wosh. My commission, expires <u>H15/99</u> STATE OF COUNTY OF. KAUDU 1997, personally appeared the above nar 1997, and and acknowledged the foregoing 3 above named Nota Public for Hawain 9-12 ires AYT STATE OF OREGON 97-005150 CLACKAMAS COUNTY CLACEAMAS LOUNT Repeived and placed in the put records of Clackgass County REDEIPT# AND FEE: 48888 CATE AND TIME: 01/27/97 JOHN KAUFFMAN, COUNT 22 CLER

Page 128 of 166

A



4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 129 of 166

.....

08/14/2007 14:06 FAX 5036537833

Part of the A. F. Hedges D.L.C. In Township 3 South, Range 1 East of the Willamette Meridia:), in the County of Clackanias and State of Oregon, described as follows:

EXHIBIT "4"

Beginning at a stone 8.27 chains North 44¹ East from the Southeast corner of said daim and running thence North 43⁹ West tracing the North line of a tract of land owned by H. Joehnke 1023.66 feet; thence East 1411.66 feet to the East boundary of said claim; thence fourth 5.77 feet to the angular corner of said claim; thence South 44^e West 994.40 feet to the place of beginning.

EXCEP FING therefrom the following:

Legal Description

Beginning al a point in the West boundary of the M. M. McCarver D.L.C. In Section 1, Township 3 South, Range 1 East, Witamette Mendian, in the County of Clackamas and State of Orogon, that is 1258.36 feet South of the Northwest corner thereof; thence South 5.77 feet, running thence South 44 °07 West, 192.16 feet; thence West, 499.31 feet; thence North, 144.00 feet; thence East 632.00 feet to the true place of beginning.

EXCEPT that part in the public roads.

FURTHER EXCEPTING THEREFROM the following described property:

A part of the A.F. Hedges Donation Land Claim in Section 1, Township 3 South, Range 1 East of the Willamette Meridian, in the City of Omogon City, County of Clackamas and State of Oregon, being a portion of that certain tract of Land conveyed to Richard O, and Jacquetyn N, Lanson, busbeing and wife, oy deed recorded in Volume 535, page 776, Deed Records, described as follows:

Beginning at the most Northerly corner of Lot 8, Block 1, OAKTREE as said subdivision is platted and recorded in volume 54, page 12, Book of Town Plats for Clackamas County, Oregon; thence Northeasterly along the arc of a 108.27 foot radius curvs to the left (the chord of which bears North 99'39'17' East 24.81 rect) a distance of 24.86 feet to a point on the North boundary line of the Larson tract, thence North 88*42'43" West along said North line, 34.88 feet to a point on the Northeasterly boundary line, 27.52 feet to the point of beomnio.

> STATE OF OREGON 97-008151; CLACKAMAS COUNTY meceived and placed in the public records of Clackamas Dounty RECEIPTA AND FEE: 46608 ATE AND THE: 01/27/97 02:22 PM JOHN KAUFFMAN, COUNTY CLERK



4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

PAGE 4 of Pre

Page 130 of 166

Oregon City United Methodist Church

Proposed modification of MP 07-11

Legal Descriptions:

Description of Parent Parcel -

Parcel 2 of Partition Plat No. 2001-032, a duly recorded plat in Clackamas County Plat Records, State of Oregon.

Description of Proposed Parcel 1 -

Parcel 1 of Partition Plat No. 201?-???, a duly recorded plat in Clackamas County Plat Records, State of Oregon.

Description of Proposed Parcel 2 -

Parcel 2 of Partition Plat No. 201?-???, a duly recorded plat in Clackamas County Plat Records, State of Oregon.

12/28/2010

1



OWNER/AFPLICANT: OREGOON CITY UNITED METHODIST CHURCH 18955 SOUTH END ROAD PHONE (503) 658-5835 HINAE 4030 658-5835 REFEORM CITY, OR 97045 TE 1 DC, TAX LOT 400 PROPOSALS: MODIFICATION OF CONDITIONAL USE CU 07-07		
MET SHEET SCLOG-163	Modified Plan for Partition MP 07—11 & CU 07—07 (United Methodist Church)	OREGON CITY UNITED METHODIST CHURCH





		SI THE THE POTO	R53 454	GRAPHIC SCALE 1 inch = 20 ft
of 3 sheets	WET SCALE 1" = 20"	Modified Plan for Conditional Use CU 00-05 (South End Fire Station)	OREGON CITY UNITED METHODIST CH	URCH





321 SW 4th Ave., Suite 400 Portland, OR 97204 phone: 503.248.0313 fax: 503.248.9251 lancasterengineering.com

March 16, 2011

Oregon City United Methodist Church 18955 South End Road Oregon City, OR 97045

RE: Josephine Street Extension

Dear Sir or Madam:

This Transportation Analysis Letter (TAL) has been prepared to discuss the impacts of a proposed extension of Josephine Street to intersect Lafayette Avenue approximately 250 feet northwest of South End Road in Oregon City. The proposed street extension will provide access for future residential development along the west side of the new roadway and improve street connectivity for homes in the site vicinity. The Josephine Street extension represents a modification of two prior land use approvals on the subject property.

The primary purpose of this letter is to determine the potential safety and operational impacts of the proposed street extension, and to discuss Oregon City's public street intersection spacing standards.

The subject property is located on the northwest side of South End Road, northeast of Lafayette Avenue. The primary affected property is tax lot 31E01DC00400, which is currently home to the Oregon City United Methodist Church and has a lot size of approximately 3.8 acres.

Access for the site is currently taken via South End Road; however an existing, gated access to the southern terminus of Josephine Street also connects to the property.

South End Road operates under the jurisdiction of the City of Oregon City and is classified as a Minor Arterial in the City's Transportation System Plan (TSP). It has a two-lane cross-section, with a single travel lane in each direction and is striped to prohibit passing. It has a posted speed limit of 40 mph in the vicinity of Lafayette Avenue and Partlow Road, transitioning to 35 mph to the north. Curbs, gutters and sidewalks are in place north of the Lafayette Avenue/Partlow Road intersection. Curb ramps have been installed on the southeast corner of the intersection in anticipation of future sidewalks that will be constructed as the adjacent properties develop. Bike lanes are in place on both sides of the roadway, and on-street parking is available north of Partlow Road.

Lafayette Avenue is classified by the City of Oregon City as a Local Street. It has a two-lane cross-section, with a single travel lane in each direction. In the immediate vicinity of South End Road, a landscaped median separates the two travel lanes. Curbs, gutters and sidewalks are in place, and parking is permitted on both sides of the roadway. Lafayette Avenue has a statutory speed limit of 25 mph.

Page 135 of 166



Partlow Road is classified by the City of Oregon City as a Collector. It has a two-lane crosssection with a single travel lane in each direction and is striped to prohibit passing. Curbs, gutters and bike lanes are in place in the vicinity of South End Road. Partial sidewalks are in place abutting developed properties, however the properties in the immediate vicinity of South End Road are not yet developed and do not currently have sidewalks. Partlow Road has a statutory speed limit of 25 mph.

Josephine Street is classified by the City of Oregon City as a Local Street. It has a two-lane cross-section, with a single travel lane in each direction and no centerline striping. Curbs, gutters and sidewalks are in place adjacent to the proposed street extension, and parking is permitted on both sides of the roadway. Josephine Street has a statutory speed limit of 25 mph.

The intersection of South End Road at Lafayette Avenue operates under two-way stop control. The two Lafayette Avenue approaches are controlled by stop signs, while through traffic travelling along South End Road is free-flowing. The westbound approach has a left-turn lane and a shared through/right lane. The other three intersection approaches each have a single, shared approach lane.

The proposed new intersection of Lafayette Avenue at Josephine Street would consist of a Tintersection with stop control on the southwest-bound Josephine Street extension. Lafayette Avenue traffic would not stop at the new intersection.

Trip Generation

The proposed street extension will not generate trips itself, but it is expected that it will have an impact on future traffic volumes and travel routes in the site vicinity. Since future traffic volumes on Josephine Street may affect safety at area intersections, it is appropriate that some analysis of likely future traffic volumes be included in this analysis.

Following completion of the roadway, development can occur on the west side of the property, with likely future development consisting of up to 14 single-family homes. In addition, a portion of the trips from existing residences on Josephine Street and in the immediate vicinity of the current dead-end would be likely to divert to the new Josephine Street alignment. It is estimated that the proposed extension of Josephine Street could carry up to 210 vehicles per day, with 17 trips during the morning peak hour and 22 trips during the evening peak hour.

It is recognized that many of these trips result from diversion of existing traffic that currently uses other streets in the site vicinity. The net traffic increases in the site vicinity will be limited to the trips generated by new homes located along the Josephine Street extension. These trips are expected to total approximately 134 daily trips, with 11 during the morning peak hour and 14 during the evening peak hour.



Even these modest traffic impacts will not be a direct result of approval of the proposed street extension, however, since future development along the new street alignment will require a separate land use approval.

Private Access Driveway Width Standards

Two private access driveways are currently planned along the proposed Josephine Street extension. One will serve the existing church and fire station public parking areas, and the other will serve entering emergency vehicles and employees at the existing South End Fire Station.

For commercial driveways, Oregon City requires a minimum driveway width of 15 feet and a maximum driveway width of 40 feet. The new driveway serving the church and fire station public parking areas will meet the City's access driveway width standards and the fire station driveway will be designed specifically to meet the access needs of emergency vehicles and personnel.

Future residential development along the Josephine Street extension will also need to comply with Oregon City access driveway width standards when further development is proposed.

Access Spacing

The City requires a minimum of 300 feet between an Arterial Street and a Local Street as measured along a Local Street. This indicates that the minimum desired spacing along Lafayette Avenue between South End Road and the future Josephine Street alignment is 300 feet.

The proposed alignment of Josephine Street will be approximately 250 feet from the centerline of South End Road. This spacing represents the maximum distance attainable between the intersections given the constraints of developed properties along Lafayette Avenue.

Oregon City's Public Street Intersection Spacing Standards allow for a lesser distance between intersections, "...provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the reduction in intersection spacing will not pose a safety hazard." Accordingly, an analysis was undertaken to determine the potential safety impacts of the reduced intersection spacing at this location. The safety analysis is detailed on the following page.

Sight Distance

Sight distance was examined at the location of the proposed intersection of Josephine Street and Lafayette Avenue. In accordance with guidelines in the 2004 AASHTO Green Book, sight distance was measured from a point 15 feet behind the edge of the travel lane.



The statutory speed limit on Lafayette Avenue is 25 mph, requiring a minimum of 280 feet of intersection sight distance in each direction. Intersection sight distance was measured to be in excess of 300 feet in each direction from the existing site access driveway. Intersection sight distance is adequate and no mitigation is recommended.

Safety Analysis

In general, speeds are relatively low in the site vicinity, since the proposed street extension is within a residence district with a statutory speed limit of 25 mph.

Average daily traffic volumes are low on the existing Josephine Street alignment and on Lafayette Avenue. Partlow Road carries approximately 3,300 vehicles per day south of South End Road, and South End Road carries approximately 7,400 vehicles per day in the vicinity of Lafayette Avenue and Partlow Road.

In order to determine whether southbound queues on Lafayette Avenue at South End Road may affect operations and safety in the site vicinity, a micro-simulation model was developed for the intersection. Turning movement volumes for the intersection were developed based on Oregon City's year 2008 traffic volume counts as well as a historical turning movement count at the intersection. The 2008 volumes were increased by six percent to account for growth that may have occurred in the three years since the counts were conducted.

Based on the Syncho/SimTraffic model, the intersection of South End Road at Partlow Road/Lafayette Avenue is projected to operate at level of service D during the morning peak hour and level of service E during the evening peak hour following completion of the proposed road extension and associated future residential development. These levels of service refer to the left-turn lane serving the northwest-bound Partlow Road approach, where intersection delay is highest. The southeast-bound Lafayette Avenue approach is projected to operate at level of service C during the morning and evening peak hours, with average delays of 17 and 20 seconds, respectively. The projected 95th percentile queue length is two vehicles during the morning and evening peak hours. Based on the analysis, southeast-bound queues will easily be accommodated within the proposed 250 foot roadway spacing even during the peak hour. No significant operational or safety problems are anticipated due to the reduced intersection spacing.

It is noted that the existing landscaped median on Lafayette Avenue effectively marks the entrance to a residence district and visually narrows the roadway, encouraging low travel speeds. It also eliminates on-street parking in the vicinity of South End Road and separates the opposing traffic flows, reducing the risk of collisions.

Based on careful examination of existing roadway features, sight distance, and projected operations and queuing, the proposed intersection spacing will be adequate to safely and efficiently



serve traffic in the site vicinity. No operational or safety problems are anticipated, and no mitigations beyond the existing landscape median are recommended.

Transportation System Plan

A review of the Oregon City Transportation System Plan revealed that Josephine Street is classified as a Local Street. The street extension will conform to the design standards for this street classification.

The Transportation System Plan identified several planned improvements in the site vicinity. These included resurfacing and widening Partlow Road between South End Road and Central Point Road, providing curb, gutter and sidewalks along South End Road south of Partlow Road, and realigning the offset intersection formed by Partlow Road and Lafayette Avenue.

The proposed Josephine Street extension will not directly impact any of these improvements, some of which are already under construction. Partlow Road has been realigned to intersect opposite Lafayette Avenue, and curb ramps have been constructed. Partlow Road has been improved to include curbs, gutters and bike lanes along the realigned street segment, and will have sidewalks added upon development of the adjacent properties.

Conclusions

Based on the detailed analysis of existing roadway and intersection configurations, driveway widths, access spacing, sight distance, and safety, the proposed Josephine Street extension is projected to operate safely and within capacity. The reduced intersection spacing between the future Josephine Street alignment and the existing intersection of South End Road at Lafayette Avenue is not projected to be subject to capacity, sight distance, queuing, or other operational and safety issues upon approval of a deviation from the standard 300 foot access spacing standard. An existing median on Lafayette Avenue provides some traffic calming and separates opposing travel directions in the vicinity of the closely-spaced intersections. No further mitigation is recommended.

If you have any questions regarding this analysis, please feel free to call me at any time.

Sincerely,

Michael Ard, P.E. Senior Transportation Engineer

Page 139 of 166

APPENDIX



Page 141 of 166

4

TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing Land Use Code: 210 Variable: Dwelling Units Variable Value: 22

AM PEAK HOUR

Trip Rate: 0.75

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	4	13	17

PM PEAK HOUR

Trip Rate: 1.01

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	14	8	22

WEEKDAY

Trip Rate: 9.57

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	105	105	210

Source: TRIP GENERATION, Eighth Edition

SATURDAY

Trip Rate: 10.08

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	111	111	222

4

TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing Land Use Code: 210 Variable: Dwelling Units Variable Value: 14

AM PEAK HOUR

Trip Rate: 0.75

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	3	8	11

PM PEAK HOUR

Trip Rate: 1.01

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	9	5	14

WEEKDAY

Trip Rate: 9.57

	Enter	Exit	Total		
Directional Distribution	50%	50%			
Trip Ends	67	67	134		

Source: TRIP GENERATION, Eighth Edition

SATURDAY

Trip Rate: 10.08

	Enter	Exit	Total		
Directional Distribution	50%	50%			
Trip Ends	71	71	142		

HCM Unsignalized Intersection Capacity Analysis 1: Lafayette Avenue & South End Road

	_#	-	7	*	-	۲	•	×	/	6	*	~
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NEL	NET	NER	SWL	SWT	SWF
Lane Configurations		\$		۲	eî 👘			\$			4	
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	14	0	23	100	0	133	4	398	120	41	172	6
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Hourly flow rate (vph)	15	0	25	108	0	143	4	428	129	44	185	6
Pedestrians		5			4			3			5	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		0			0			0			0	
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	930	851	196	809	790	501	196			561		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	930	851	196	809	790	501	196			561		
tC, single (s)	7.2	6.6	6.2	7.2	6.6	6.2	4.2			4.2		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.3			2.3		
p0 queue free %	91	100	97	61	100	74	100			96		
cM capacity (veh/h)	173	278	832	273	302	559	1347			987		
Direction, Lane #	EB 1	WB 1	WB 2	NE 1	SW 1							
Volume Total	40	108	143	561	235							
Volume Left	15	108	0	4	44							
Volume Right	25	0	143	129	6							
cSH	341	273	559	1347	987							
Volume to Capacity	0.12	0.39	0.26	0.00	0.04							
Queue Length 95th (ft)	10	45	25	0	4							
Control Delay (s)	17.0	26.5	13.6	0.1	2.0							
Lane LOS	С	D	В	А	А							
Approach Delay (s)	17.0	19.2		0.1	2.0							
Approach LOS	С	С										
Intersection Summary												
Average Delay			5.5									
Intersection Capacity Ut	ilization	I	65.7%	l.	CU Leve	el of Ser	vice		С			
Analysis Period (min)			15									

Josephine Street Extension: Lafayette Queuing 2011 AM Background Plus Site LANCASTER ENGINEERING

Synchro 6 Light Report Page 1

3/15/2011
Queuing and Blocking Report 2011 AM Background Plus Site

3/15/2011

Intersection: 1: Lafayette Avenue & South End Road

Movement	EB	WB	WB	NE	SW
Directions Served	LR	L	TR	LTR	LTR
Maximum Queue (ft)	57	105	108	42	88
Average Queue (ft)	22	45	49	4	20
95th Queue (ft)	52	79	89	22	61
Link Distance (ft)	1063		1462	1100	1136
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)		100			
Storage Blk Time (%)		1	0		
Queuing Penalty (veh)		1	0		

Nework Summary

Network wide Queuing Penalty: 1

Josephine Street Extension: Lafayette Queuing MTA LANCASTER ENGINEERING SimTraffic Report Page 1

HCM Unsignalized Intersection Capacity Analysis 1: Lafayette Avenue & South End Road

	_#	-	7	*	-	۲	•	*	/	6	×	~
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		\$		1	el el			\$			÷	
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	7	0	11	81	0	55	13	218	90	124	449	25
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Hourly flow rate (vph)	8	0	12	87	0	59	14	234	97	133	483	27
Pedestrians		5			4			3			5	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		0			0			0			0	
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	1143	1131	504	1092	1096	292	515			335		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1143	1131	504	1092	1096	292	515			335		
tC, single (s)	7.2	6.6	6.2	7.2	6.6	6.2	4.2			4.2		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.3			2.3		
p0 queue free %	95	100	98	47	100	92	99			89		
cM capacity (veh/h)	144	175	558	166	183	735	1026			1198		
Direction, Lane #	EB 1	WB 1	WB 2	NE 1	SW 1							
Volume Total	19	87	59	345	643							
Volume Left	8	87	0	14	133							
Volume Right	12	0	59	97	27							
cSH	263	166	735	1026	1198							
Volume to Capacity	0.07	0.53	0.08	0.01	0.11							
Queue Length 95th (ft)	6	65	0.00	1	9							
Control Delay (s)	19.8	48.5	10.3	0.5	2.8							
Lane LOS	C	E	B	0.0 A	2.0 A							
Approach Delay (s)	19.8	33.0	U	0.5	2.8							
Approach LOS	C	D		0.0	2.0							
Intersection Summary												
Average Delay			6.2									
Intersection Capacity Ut	ilization		75.0%	- I		el of Sei	vice		D			
Analysis Period (min)			15				100		5			
			15									

Josephine Street Extension: Lafayette Queuing 2011 PM Background Plus Site LANCASTER ENGINEERING

Synchro 6 Light Report Page 1

3/15/2011

Queuing and Blocking Report 2011 PM Background Plus Site

3/15/2011

Intersection: 1: Lafayette Avenue & South End Road

Nework Summary

Network wide Queuing Penalty: 1

Josephine Street Extension: Lafayette Queuing MTA LANCASTER ENGINEERING SimTraffic Report Page 1

REPLINGER & ASSOCIATES LLC TRANSPORTATION ENGINEERING

September 10, 2011

Mr. Pete Walter City of Oregon City PO Box 3040 Oregon City, OR 97045

SUBJECT: REVIEW OF TRANSPORTATION ANALYSIS LETTER – OREGON CITY UNITED METHODIST CHURCH – MD11-01 & MD11-02

Dear Mr. Walter:

In response to your request, I have reviewed the Transportation Analysis Letter (TAL) submitted for the proposed extension of Josephine Street though property owned by the United Methodist Church on South End Road. The TAL, dated March 16, 2011, was prepared by Michael T. Ard, PE of Lancaster Engineering.

The proposal would extend Josephine Street, currently a dead end street, to a new connection with Lafayette Avenue approximately 250 feet northwest of South End Road. The extension of the street would allow creation of up to 14 single-family lots as part of a subsequent land use action.

Overall

I find the TALs address the city's requirements and provides an adequate basis to evaluate impacts of the proposed street extension.

Comments

- 1. Trip Generation. The TAL presents information on trip generation and on the potential for more traffic on the street due to diversion from other routes. It predicts that Josephine Street could carry up to 210 vehicles per day with 17 trips during the morning peak hour and 22 trips during the event peak hour. It is difficult to estimate the impact of diversion due to new routes, but given the existing street connections and amount of development, I find these numbers to be reasonable.
- **2.** Access Locations. The TAL explains that the new street will provide access to two driveways. One will serve the existing church and fire station public parking. The other will serve emergency vehicles and employees at the fire station. Other sections of the street will eventually provide driveways for single-family homes.

Mr. Pete Walter September 10, 2011 Page 2

- **3.** *Driveway Width.* The TAL indicates that the new driveway serving the church and fire station public access will meet the city's driveway width standards. The one serving the fire station will be designed specifically to meet access needs of the emergency vehicles and personnel.
- **4.** *Intersection Spacing.* The proposal will create a new intersection on Lafayette Avenue approximately 250 feet from South End Road. This is slightly less than the city's standard of 300 feet, but the engineer provides adequate rationale in support of the proposal. The selected location is as far from South End Road as is possible given the existing development and parcel size. The engineer has also analyzed the sight distance and queue storage associated with the new intersection and distance from South End Road. In both cases the distance is shown to be adequate. I find that the engineer provides justification for the city engineer to accept the proposed location.
- **5.** *Sight Distance.* The engineer measured sight distance at the proposed intersection and found it to be in excess of 280 feet, the distance appropriate for a 25 mph local street. He did not recommend mitigation and I concur.
- **6. Safety Issues.** The engineer evaluated the area for safety issues. Among other things, he considered the queuing on Lafayette Avenue and found it to be adequate. He did not identify any safety issues. The proposal would create a new, low-speed residential street and there is no reason to expect it would have any significant safety issues.
- 7. Consistency with the Transportation System Plan (TSP). The engineer noted that Josephine Street is a local street. Its construction would help improve connectivity within the area. A number of other improvements in the area are identified in the TSP, but the engineer notes that none will be directly impacted by the proposal.
- 8. Operational Issues. An operations analysis is not typically needed for a TAL, but the engineer did perform an analysis of the operations of the intersection of South End/Partlow/Lafayette. He reports that the northwest-bound Partlow Road approach is predicted to experience level of service (LOS) C and E for left turns during the AM and PM peak hours, respectively. However, the southeast-bound Lafayette Avenue approach is predicted to experience LOS C during both the AM and PM peak hours. The Lafayette Avenue approach is likely to be the only approach significantly impacted by the proposed Josephine Street extension. I do not view the prediction of poor performance for left turns from Partlow Road to be relevant to the approval criteria for this proposal, especially since left turns from Partlow Road to South End Road will not use the proposed Josephine Street extension.

Mr. Pete Walter September 10, 2011 Page 3

Conclusion and Recommendations

I find that the TAL meets city requirements and provide an adequate basis upon which impacts can be assessed. I think the connectivity improvements afforded by the extension of Josephine Street to be beneficial for the area. I find the spacing (approximately 250 feet) along Lafayette Avenue between the new intersection and South End Road to be adequate based on the engineer's analysis of sight distance and queuing.

If you have any questions or need any further information concerning this review, please contact me at <u>replinger-associates@comcast.net</u>.

Sincerely,

ohn Keplinger

John Replinger, PE Principal

Oregon City\2011\MD11-01.docx



AFFIDAVIT OF PUBLICATION

State of Oregon, County of Clackamas, SS I, Charlotte Allsop, being the first duly sworn, depose and say that I am Accounting Manager of Clackamas Review/Oregon City News, a newspaper of general circulation, published at Clackamas/Oregon City, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

City of Oregon City Notice of Public Hearing File #: MD11-01, MD11-02 CLK12398

a copy of which is hereto annexed, was published in the entire issue of said newspaper for 1

week in the following issue: September 7, 2011

a lotte

Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this September 7, 2011.

NOTARY PUBLIC FOR OREGON

My commission expires 🔾 01.28,2011 N

Acct #10048638 Attn: Pete Walter City of Oregon City PO Box 3040 Oregon City, OR 97045-0304



Size: 2 x 6.5 Amount Due: \$111.15* *Please remit to address above.

NOTICE OF PLANNING COMMISSION PUBLIC HEARING

COMMENT DEADLINE: On Monday, September 26th, 2011, the City of Oregon City - Planning Commission will conduct a public hearing at 7:00 p.m. in the Commission Chambers at City Hall, 615 Center Street, Oregon City 97045 on the following Type III Land Use Applications. Any interested party may testify at the public hearing or submit written testimony at or prior to the close of the Planning Commission hearing. Written comments on these Type III Land Use Applications must be received by the Oregon City Planning Division, no later than September 12th, 2011 to be included in the Staff Report. Comments received after this date will be provided to the Planning Commission at the public hearing. The public record will remain open until the Planning Commission closes the public hearing. FILE NUMBERS: MD 11-01 / MD 11-02 APPLICANT(S)/OWNER(S): Oregon City United Methodist Church, 18955 South End Rd, Oregon City, OR 97045, and Clackamas Fire District #1, 11300 SE Fuller Rd, Milwaukie, OR 97222 REPRESENTATIVE: Sisul Engineering, 375 Portland Avenue, Gladstone, OR 97027 REQUEST: MD 11-01: Modification of approved files SP 00-26, CU 00-

REQUEST: MD 11-01: Modification of approved files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by 7,731 sf and make modifications to landscaping, parking and access. MD 11-02: Modification of approved files CU 07-07, MP 07-11 and Conditions of Approval to adjust the proposed partition, increase the size of the church parcel by 4000 sf, and accommodate the future alignment of Josephine Street.

LOCATION: 18955 South End Rd (Clackamas County Map 3-1E-01DC-00400) and 19001 South End Road (Clackamas County Map 3-1E-12AB-03200)

CONTACT PERSON: Pete Walter, AICP, Associate Planner, (503) 496-1568, pwalter@orcity.org NEIGHBORHOOD ASSOCIATION:

South End Neighborhood Association

Association **APPROVAL CRITERIA:** Chapter 17.50, 17.08, 17.10, 17.56, 17.62, 17.52, 12.04, 12.08, 16.12, and 16.16 of the Oregon City Municipal Code. The City Code Book is available on-line at <u>www.orcity.org</u> The applicant and all documents submitted by or on behalf of the applicant are available for inspection at no cost at the Oregon City, Planning Division, 221 Molalla Avenue, Suite 200, Oregon City, Oregon 97045, from 8:00 a.m. to 5:00 p.m Monday thru Friday. The staff report, with all the applicable approval criteria, will also be available for inspection seven days prior to the hearing. Copies of these materials may be obtained for a reasonable cost in advance. Please be advised that any issue that is intended to provide a basis for appeal must be raised before obtained for a reasonable cost in advance. Please be advised that any issue that is intended to provide a basis for appeal must be raised before the close of the Planning Commission hearing, in person or by letter, with sufficient specificity to afford the Planning Commission and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any appeal on that issue. The decision of the Planning Commission may be appealed to the City Commission by parties with standing within 14 days of the notice of decision. Any appeal will be based on the record. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 and ORS 197.763. A city tercongrized pairborchood exception recursting the transmission record. ORS 197.763. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to 17.50.290(C) must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal. Publish 09/7/2011 CLK12398

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 151 of 166

AGREEMENT REGARDING RIGHT OF WAY AND PUBLIC UTILITY EASEMENT

This Agreement Regarding Right of Way and Public Utility Easement (this "Agreement") is entered into as of <u>September 14, 2011</u>, by and between Clackamas Fire District #1 (the "Fire District"), and Oregon City United Methodist Church, Oregon City, Oregon, an Oregon nonprofit corporation (the "Church").

Recitals

A. The Fire District is the owner of the real property located at 19001 South End Road, Oregon City, Oregon, and more fully described on the attached <u>Exhibit C</u> (the "Fire District Property").

B. The Church is the owner of the real property located at 18955 South End Road, Oregon City, Oregon, described on the attached <u>Exhibit D</u>, and located adjacent to the Fire District Property (the "Church Property").

C. The Church desires to obtain approval to partition the Church Property.

D. The parties desire to document certain obligations and responsibilities of the parties with respect to potential development of the partitioned land (hereafter "the Development").

Agreement

For good and valuable consideration, the parties agree as follows:

1. <u>Right of Way</u>. If any City approval or condition related to the Development requires that a portion of the Fire District's Property become a right of way connecting the Church Property with Lafayette Avenue, the Fire District will grant the City such right of way (the "Right of Way") over and across the Fire District Property on terms deemed reasonable to the Fire District, provided that the Right of Way is located as described on the attached <u>Exhibit A</u> and as shown on the attached <u>Exhibit B</u>, unless the Fire District otherwise agrees to a larger size or different location for the Right of Way, and further provided that the grant of the Right of Way does not cause the Fire District Property to become a non-conforming development pursuant to the thencurrent City code or other applicable law, regulation, rule, ordinance, or order. The parties expect that Josephine Street will be extended and that the Right of Way will be connected with Josephine Street.

2. <u>PUE</u>. If any City approval or condition related to the Development requires that a portion of the Fire District's Property be subject to a public utility easement ("PUE"), the Fire District will grant such PUE to the City over, under, through, and across the Fire District Property on terms deemed reasonable to the Fire District, provided that the PUE is located as described on the attached <u>Exhibit A</u> and as shown on the attached <u>Exhibit B</u>, unless the Fire District otherwise agrees to a larger size or different location for the PUE, and further provided that the grant of the PUE does not cause the Fire District Property to become a non-conforming development pursuant to the then-current City code or other applicable law, regulation, rule, ordinance, or

order. In no event may the PUE and the Right of Way collectively cause the Fire District Property to lose more than two of the existing parking spaces without the Fire District's prior written approval.

3. <u>Payment</u>. The Church (or its successors or assigns) will pay the Fire District the product of \$2.043 multiplied by the total square footage of the Right of Way. Such amount will be paid at Close of Escrow, prior to the Fire District's grant of the Right of Way.

4. <u>Josephine Street</u>. Concurrently with obtaining approval for the Development, the Church agrees to use reasonable efforts to obtain all necessary approvals from the City and any other applicable governmental entity or agency, to authorize the Right of Way and Josephine Street to connect with and open to the existing parking lot located on the Church Property. If such authorization is obtained, the Church (or its successors or assigns) will cause the Right of Way and Josephine Street to connect with and open to the existing parking lot located on the Church Property in accordance with the terms of such approval.

5. <u>Parking</u>. The Church will allow the Fire District occasional and sporadic use of additional parking spaces to accommodate meetings and events at the Fire District facility. There will be no cost associated with this use.

6. <u>Stormwater Detention Facility</u>. The northwest portion of the Fire District Property contains the stormwater detention facility (the "Stormwater Facility") serving the Fire District Property. Concurrently with obtaining approval for the Development, the Church agrees to use reasonable efforts to obtain all necessary approvals from the City and any other applicable governmental entity or agency to relocate the Stormwater Facility to **another site on adjacent property**. If such approval is obtained, the Church (or its successors or assigns) agrees that in **conjunction with** constructing any improvements in the Right of Way or the PUE, the Church (or its successors or assigns) will relocate the Stormwater Facility in accordance with the terms of such approval. The relocated Stormwater Facility must have the capacity to treat all of the stormwater generated or located on the entire Fire District Property.

7. <u>Cost and Expenses</u>. The Church (or its successors or assigns) shall bear all costs and expenses associated with the Development, approvals for the Development, approvals for the Right of Way, approvals for the PUE, approvals for relocation of the Stormwater Facility, the grant of the Right of Way and PUE, and the relocation of the Stormwater Facility, including, without limitation, any application fees*, surveying costs, and recording costs. The foregoing notwithstanding, each party will be obligated to pay, without contribution from the other party, all costs related to its own legal representation with respect to the matters described in this Agreement.

*The Fire District will pay its initial application fee. The Church (or its successor or assigns) will reimburse the Fire District at the Close of Escrow. Should the Church fail to receive approval to partition its land, or if they receive approval but lack progress towards development of said land within five years, the Fire District will have the right to request reimbursement of the initial application fee from the Church (or its successor or assigns).

8. <u>Maintenance; Repair; and Improvement</u>. Following the grant of the Right of Way, the Church (or its successors or assigns) shall have the sole responsibility, at its sole cost and expense, to improve, and repair the Right of Way and the PUE **during the construction process** and until the Right of Way is accepted by the City of Oregon City, including, without limitation, sidewalks, driveways, roadways, and utilities. On and after such date, the Fire District shall have no obligation and shall incur no cost or expense with respect to the maintenance, repair, or improvement of the Right of Way, except those maintenance and repair costs generally associated with street frontage improvements such as sidewalk repair, driveway approach repair and landscaping. With respect to the future joint driveway from the new street, the Fire District and the Church shall share those repair and maintenance costs.

*It is noted that future maintenance costs for maintaining the asphalt driveway across the park site and up to the future driveway approach will be saved once the public street extension is installed. While the Fire District will incur some maintenance costs for maintenance of sidewalk, driveway approach and street planter landscaping along the future street frontage of the Josephine Street extension, it is expected that those costs will be offset with the reduction in maintenance costs by the elimination of the asphalt driveway across the park site.

9. <u>Insurance</u>. Immediately after the grant of the Right of Way or the PUE, and at all times **during the construction of the Right of Way or the PUE**, the Church (and/or its successors and assigns) shall obtain and maintain general liability insurance in the amount of not less than one million dollars (\$1,000,000) which insures against claims arising out of the use of the Right of Way or the PUE by the Church (and/or its successors or assigns) or its beneficiaries, trustees, agents, licensees, directors, owners, officers, members, invitees, tenants, contractors, employees, or representatives (and/or their successors or assigns) (collectively, the "Church Parties") and such insurance policy(ies) shall name the Fire District (or its successor or assigns) as an additional insured. This requirement for insurance will end once the public street improvements have been completed and accepted by the City of Oregon City, with the exception of the use of the future joint driveway off the new street.

Use. The Church and the Church Parties shall use the Right of Way and the PUE in 10. accordance with all applicable laws, ordinances, rules, regulations, and standards of all governmental agencies or entities, and in such a manner so as not to unreasonably interfere with the use of the Right of Way, the PUE, or the Fire District Property by the Fire District (or its successors or assigns), beneficiaries, trustees, agents, licensees, directors, owners, officers, members, invitees, tenants, contractors, employees, or representatives (collectively, the "Fire District Parties"). The Church (or its successors or assigns) shall not permit the Church Parties to construct any building or other improvement, store any property, or take any other action that blocks, obstructs, or interferes with flow or passage of vehicular or pedestrian traffic throughout the Right of Way or the PUE, except as is reasonably required for limited periods of time for the repair, improvement, restoration, or reconstruction of the Right of Way or PUE or improvements thereto. The Church (or its successors or assigns) shall promptly repair, at the Church's (or its successor or assigns) sole cost and expense, any damage, including damage to landscaping, paying, or other improvements, caused by the Church or the Church Parties, to the Right of Way, the PUE, or any property of the Fire District or the Fire District Parties. The Church (or its

successors or assigns) shall pay when due all claims for labor and materials furnished, or alleged to have been furnished, to, for, or on behalf of the Church (or its successors or assigns) or the Church Parties in connection with any work on or to the Right of Way or the PUE.

11. <u>Taxes</u>. The Fire District Property is exempt from property taxes and assessment. In the event that the grant of the Right of Way or the PUE or the use of the Right of Way or PUE by the Church (or its successors or assigns) or the Church Parties cause the Fire District Property to be partially or wholly taxable or subject to assessment, the Church (or its successors or assigns) shall be solely responsible to pay all such taxes or assessment when due.

12. <u>Cooperation</u>. The Fire District will reasonably cooperate with the Church in obtaining any governmental approvals necessary with respect to or related to the Development or other matters described herein, provided that the Fire District incurs no cost or expense in connection with such cooperation.

13. <u>Nonconforming Development</u>. No provision to the contrary in this Agreement withstanding, the Fire District shall not be required to take any action that would cause all or any portion of the Fire District Property to become a non-conforming development pursuant to the City's then-current code or other applicable law, regulation, rule, ordinance, or order, including, without limitation, requirements with respect to lot size, setbacks, parking, and landscaping.

14. <u>Further Assurances</u>. Each party agrees to execute and deliver to the other party such further documents or instruments as may be reasonably requested by the other party to further evidence and effectuate the agreement of the parties described herein, including, without limitation, land use applications, street dedications, easements, or other such documents as may be required by the City or other applicable governmental entity or agency with respect to or related to the Development.

15. Indemnification. The Church (or its successors or assigns) shall indemnify, defend and hold harmless the Fire District and the Fire District Parties from and against all liabilities, damages, claims, costs, and expenses whatsoever, including reasonable attorney's fees and court costs, arising out of or in connection with (a) the use of the Right of Way or the PUE by the Church or the Church Parties, (b) the improvement, repair, maintenance, lack of repair or maintenance, or quality of improvement, repair, or maintenance in or to the Right of Way or the PUE, or (c) the relocation of the Stormwater Facility. It is to be understood that the intent of this indemnification is for the primary purpose of protecting the Fire District during construction or improvements related to the construction. Once public street and utilities are completed the indemnification shall no longer be required except as it may relate to the original construction. An exception to the ending of indemnification relates to the use of the future joint driveway of which this indemnification clause will remain in effect.

16. <u>Recording</u>. A memorandum of this Agreement shall be executed by the parties and shall be recorded in the real property records of Clackamas County, Oregon.

17. <u>No Public Dedication</u>. Nothing in this Agreement shall be deemed to be a gift or dedication of any portion of the Right of Way or the PUE to the general public or for any public purpose.

18. <u>Successors and Assigns</u>. The Agreement is appurtenant to and runs with the Fire District Property and the Church Property and this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

19. <u>Modification and Amendment</u>. No amendment, modification, or termination of this Agreement shall be effective until the written instrument setting forth its terms has been executed and acknowledged by all of the owners of the Fire District Property and the Church Property.

20. <u>Reservation in Deeds</u>. The covenants set forth in this Agreement shall be deemed reserved and granted in a deed to or conveyance of any portion of the Church Property or the Fire District Property, notwithstanding that such deed or conveyance document fails to reference this Agreement.

21. <u>Joint and Several</u>. In the event that the Church Property is owned by more than one owner, the obligations of the owners of the Church Property under this Agreement shall be joint and several.

22. <u>Entire Agreement</u>. This Agreement contains the entire agreement and understanding of the parties with respect to the subject matter hereof.

23. <u>Remedies.</u> In the event that either party breaches any term or provision of this Agreement, then the other party may, in addition to any other relief available in law or equity, specifically enforce all obligations of the breaching party.

24. <u>Attorney Fees</u>. If litigation is instituted with respect to this Agreement, the prevailing party shall be entitled to recover from the other party, in addition to all other sums and allowable costs, its reasonable attorney fees, both in preparation for and at trial and any appeal or review, such amount to be set by the court that hears the matter.

The parties have executed this Agreement as of the date set forth above.

THE FIRE DISTRICT:

Clackan	as Fire District #1
	2 That the
By: Name:	× IIIVI Z
Name:	ED KIECHHOFER
Its:	FIRE CHUEF

THE CHURCH:

Oregon City United Methodist Church, Oregon City, Oregon

By:		
Name:	 	
Its:	_	

EXHIBIT A Right of Way and PUE Legal Description

A PROPOSED RIGHT OF WAY BEING PART OF PARCEL 1 OF PARTITION PLAT NO. 2001-032, CLACKAMAS COUNTY PLAT RECORDS, LOCATED IN THE S.E 1/4 OF SECTION 1, T.3S., R.1E., W.M., CITY OF OREGON CITY, CLACKAMAS COUNTY OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF TRACT "A" OF THE PLAT OF "OAKTREE", CLACKAMAS COUNTY PLAT RECORDS, SAID POINT BEING N43°09'23"W ALONG THE NORTHERLY LINE OF SAID TRACT "A" AND THE SOUTHERLY LINE OF PARCEL 1 OF PARTITION PLAT NO. 2001-032, CLACKAMAS COUNTY PLAT RECORDS, A DISTANCE OF 219.05 FEET FROM THE SOUTHERLY CORNER OF SAID PARCEL 1; THENCE N47°42'40E A DISTANCE OF 84.78 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET, THROUGH A CENTRAL ANGLE OF 90°52'03", AN ARC LENGTH OF 23.79 FEET (CHORD OF WHICH BEARS N02º16'38"E 21.37 FEET) TO A POINT OF TANGENCY; THENCE N43°09'23W A DISTANCE OF 45.41 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID PARCEL 1; THENCE N46°50'37"E ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 31.80 FEET TO AN ANGLE POINT: THENCE S44°22'30"E A DISTANCE OF 91.43 FEET TO AN ANGLE POINT; THENCE N46°50'37" E, A DISTANCE OF 19.45 FEET TO A POINT OF CURVATURE; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 43.50 FEET WITH A RADIAL BEARING OF S89°06'27"W, THROUGH A CENTRAL ANGLE OF 71°54'47", AN ARC LENGTH OF 54.60 FEET (CHORD OF WHICH BEARS \$35°03'51"W 51.08 FEET) TO A POINT OF REVERSE CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 14.00 FEET, THROUGH A CENTRAL ANGLE OF 23°18'34", AN ARC LENGTH OF 5.70 FEET (CHORD OF WHICH BEARS S59°21'57"W 5.66 FEET) TO A POINT OF TANGENCY; THENCE S47°42'40'W, A DISTANCE OF 64.51 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4.50 FEET, THROUGH A CENTRAL ANGLE OF 15°27'06", AN ARC LENGTH OF 1.21 FEET (CHORD OF WHICH BEARS S39°59'07"W 1.21 FEET) TO

-A-1-

A POINT OF REVERSE CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET, THROUGHA CENTRAL ANGLE OF 12°40'21", AN ARC LENGTH OF 26.54 FEET (CHORD OF WHICH BEARS S38°35'44"W 26.49 FEET) TO A POINT OF REVERSE CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4.50 FEET, THROUGH A CENTRAL ANGLE OF 34°47'03", AN ARC LENGTH OF 2.73 FEET (CHORD OF WHICH BEARS S27"32'23"W 2.69 FEET) TO A POINT OF REVERSE CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 15.50 FEET, THROUGH A CENTRAL ANGLE OF 13°42'39, AN ARC LENGTH OF 3.71 FEET (CHORD OF WHICH BEARS S17°00'11"W 3.70 FEET) TO A POINT ON SAID SOUTHWESTERLY LINE OF SAID PARCEL 1; THENCE N43°09'23"W ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 47.18 FEET TO THE POINT OF BEGINNING.

SAID PROPOSED RIGHT OF WAY CONTAINS 7,731 SQUARE FEBT.

TOGETHER WITH A PROPOSED PUBLIC UTILITY EASEMENT, BEING 10.00 FEET IN WIDTH AND ADJACENT TO THE NORTHERLY PROPOSED RIGHT OF WAY LINE AND SOUTHERLY PROPOSED RIGHT OF WAY LINE OF THE PROPOSED RIGHT OF WAY AS DESCRIBED.

-A-2-

EXHIBIT B



-B-1-

086160-0079/PDXDOCS:1927569.1

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 159 of 166

EXHIBIT C The Fire District Property

Parcel 1 of Partition Plat No. 2001-032, in the City of Oregon City, Clackamas County Oregon.

-C-1-

EXHIBIT D The Church Property

Parcel 2 of Partition Plat No. 2001-032, located in the SE ¼ of Section 1, Township 3 South, Range 1 East, of the Willamette Meridian, City of Oregon City, Clackamas County Oregon.

-D-1-

City and Notice Information Notice is hereby given on, 20, that a measure election will be held inOregon on	
Name of City or Cities Date of Ele The following shall be the ballot title of the measure to be submitted to the city's voters: Caption 10 words Question 20 words	
Name of City or Cities Date of Ele The following shall be the ballot title of the measure to be submitted to the city's voters: Caption 10 words Question 20 words Summary 175 words	
The following shall be the ballot title of the measure to be submitted to the city's voters: Caption 10 words Question 20 words Summary 175 words	, 20
Caption 10 words Question 20 words Summary 175 words	
Question 20 words Summary 175 words	
Summary 175 words	
Summary 175 words	
Summary 175 words	
Summary 175 words	
Summary 175 words	
Summary 175 words	
Summary 175 words	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
The following authorized city official hereby certifies the above ballot title is true and complete	
of notice and the completion of the ballot title challenge process.	which includes publication
Signature of Authorized City Official not required to be notarized Date Signed	nm/dd/yy

NUMBERED KEY CANVASS RUN DATE:11/18/10 11:30 AM			Gener	kamas County, ral Election mber 2, 2010	. Oregon	REPORT-EL52 PAGE 0163
CITY OF OREGON CITY Measure 3-369: portion of public park within Oakt Vote For 1			а	ES PERCENT		VOTES PERCENT
01 = Yes			5,63	32 52.07	03 = OVER VOTES	1
02 = No			5,18	35 47.93	04 = UNDER VOTES	976
	01	02	03	04		
0001 1	403	414	0	81		
0002 2	480	435	0	89		
0003 3	332	371	0	57		
0005 5	339	339	0	77		
0006 6	404	345	0	68		
0007 7	826	787	0	129		
0008 8	858	739	0	112		
0009 9	486	455	0	77		
0011 11	675	531	1	104		
0012 12	829	769	0	182		



CERTIFIED COPY OF THE ORIGINAL SHERRY HALL, COUNTY CLERK

herry Mall



CLACKAMAS

Office of County Clerk

SHERRY HALL CLERK

2051 KAEN ROAD, 2ND FLOOR OREGON CITY, OR 97045 503.650.5686 FAX 503.650.5687

VIA USPS AND BY FAX

City of Oregon City Attn: Nancy Ide, City Recorder 625 Center Street Oregon City, OR 97045

FAX 503.657.7026

Dear Nancy:

Attached please find the elections abstract for the November 2, 2010 General Election.

Dated: November 19, 2010

SHERRY HALL COUNTY CLERK

Sterm By:

Steve Kindred **Elections Manager**

Board Of Property Tax Appeals 2051 Kaen Road, 2nd Floor Oregon City, OR 97045 503.655.8662 FAX 503.650.5687

Elections Division 1710 Red Soils Court, Suite 100 Oregon City, OR 97045 503.655.8510 FAX 503.655.8461

Recording Division 2051 Kaen Road, 2nd Floor Oregon City, OR 97045 503.655.8551 FAX 503.650.5688

Records Management Division 270 Beavercreek Road, Suite 200 Oregon City, OR 97045 503.655.8323 FAX 503.655.8195

4a. MD 11-01: Modification of approved planning files SP 00-26, CU 00-05 to accommodate extension of Josephine Street, reduce parcel size by

Page 164 of 166



C E

NOV

by fax

CITY RECORDER CITY OF OREGON CITY, OR

EI

1 9 2010

 \mathbb{V} E

COUNTY



COMMISSION REPORT: CITY OF OREGON CITY

TO:	Planning Commission					
FROM:	Fony Konkol, Community Development Director					
PRESENTER:	Tony Konkol, Community Development Director					
SUBJECT:	2011 - 2012 Planning Commission Goals and Objectives					
Agenda Heading: Public Hearing						
Approved by: Tony Konkol, Community Development Director						

RECOMMENDED ACTION (Motion):

Staff recommeds that the Planning Commission adopt the proposed 2011-2012 Goals and Objectives.

BACKGROUND:

BUDGET IMPACT:

FY(s): Funding Source:

ATTACHMENTS:

1. 2011-2012 Planning Commission Goals and Objectives



Community Development – Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045 Ph (503) 722-3789 | Fax (503) 722-3880

2011 – 2012 Planning Commission Goals and Objectives

The powers and duties of the Planning Commission, which have been adopted by the City Commission, are outlined in section 2.24.090 of the Oregon City Municipal Code.

- 1. **Public Involvement**: Identify methods to increase public involvement, communication and education with effective outreach and feed back to citizens, interested parties and neighborhood associations.
 - Prepare an annual training and citizen feedback program.
 - Expand materials for the community such as Frequently Asked Questions, "How to" resources and a library of informational videos.
- 2. **Community Vision**: Work with the City Commission and Urban Renewal Agency to create a Community Vision for the Blue Heron/Willamette Falls site and complete a Concept Plan for the South End Area.
- 3. City Agencies Communication: Develop an improved and more defined structure between the City's agencies. Promote better communication and understanding through updates and work sessions with the City Commission, Urban Renewal Agency, Historic Review Board and recognized city advisory groups such as the Transportation Advisory Committee, Parks and Recreation Advisory Committee, Citizen Involvement Council and Natural Resource Committee.
- Invite the recognized city advisory groups to provide updates to the Planning Commission every 6months.
- Identify how the Planning Commission can better communicate and assist the groups.
- 4. Urban Forestry: Support the City's efforts to obtain Tree City USA designation.
- 5. **Urban Planning**: Promote and educate the community about innovative 'smart growth' designs, the benefits of historic preservation and rehabilitation, walkable communities and projects designed to lessen development impacts on the environment.
 - Identify organizations to present to the community about the identified urban planning goals.
 - Prepare a centralized location for Frequently Asked Questions and available resources for energy and water conservation, preservation and rehabilitation of historic structures, and low impact designs.

6. Status of the 2011-2012 Goals and Objectives and Long Term Projects.

Economic Development	Street Trees and sidewalks
Sign Code	Cove Peninsula stabilization and erosion review
Transportation System Plan	Reforestation of public lands program
South End Concept Plan	Beavercreek Road Concept Plan
Downtown Circulation Plan II	

City of Oregon City | PO Box 3040 | 221 Molalla Avenue, Suite 200 | Oregon City, OR 97045 Ph (503) 722-3789 www.orcity.org