

**PLANNING COMMISSION AGENDA**  
**City Commission Chambers - City Hall**  
625 Center Street, Oregon City, Oregon 97045  
**November 8, 2010 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. ([www.orcity.org](http://www.orcity.org))

**1. CALL TO ORDER**

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

**3. PLANNING COMMISSION HEARING**

- a. CP 10-01, DP 10-02, WR 10-03. Approval with Conditions of a Master Development Plan, Detailed Development Plan and Natural Resource Overlay District Review for Redevelopment of the Hilltop Mall, including a new Grocery Store and Retail, Parking Lot and Associated Improvements (Continued from October 25, 2010).

**4. ADJOURN**

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**Agenda Item No.**  
**Meeting Date: 08 Nov 2010**

**COMMISSION REPORT: CITY OF OREGON CITY**

TO:	Planning Commission
FROM:	Tony Konkol, Community Development Director
PRESENTER:	Pete Walter, Planner
SUBJECT:	Master Development Plan for the redevelopment of the Hilltop Mall. Planning Files CP 10-01, DP 10-02 and WR 10-03.
Agenda Heading: Public Hearing	
Approved by: Tony Konkol, Community Development Director	

**RECOMMENDED ACTION (Motion):**

Staff Recommends Approval with Conditions of Planning Files CP 10-01, DP 10-02 and WR 10-03: an Application for Approval of a Master Development Plan, Detailed Development Plan and Natural Resource Overlay District Review for Redevelopment of the Hilltop Mall, including a new Grocery Store and Retail, Parking Lot and Associated Improvements.

**BACKGROUND:**

This Public Hearing is continued from October 25, 2010, when the applicant presented a Powerpoint Presentation to the Planning Commission. Staff has prepared the attached Staff Report and Recommendation for the Planning Commissions consideration and will present the Staff Report and Recommendation at the November 8, 2010 Public Hearing.

Please refer to the attached Staff Report.

**BUDGET IMPACT:**

FY(s):  
Funding Source:

**ATTACHMENTS:**

- Staff Report
- Exhibits (New)
  - 24. Staff Memo, Email and Attachment regarding Edible Landscaping,
  - 25. Applicant's proposed Phasing Plan for Parking Lot Improvements, dated 10/28/2010.
  - 26. Applicant's Revised Parking Lot Design, dated 10/29/2010.
  - 27. Public Comment Cards from 10/25/2010 PC Public Hearing. On-File\*



**QUASI-JUDICIAL LAND USE DECISION (TYPE III)**  
**Staff Report and Recommendation to the Planning Commission**

Hearing Date: November 8<sup>th</sup>, 2010  
Staff Report Date: November 1<sup>st</sup>, 2010

**FILE NO.:** CP 10-01: Concept (General) Development Plan<sup>1</sup>  
DP 10-02: Detailed Development Plan (Site Plan and Design Review)  
WR 10-03: Natural Resource Overlay District (NROD) Review

**APPLICATION TYPE:** Type III – Planning Commission Public Hearing

**APPLICANT:** CE John Company  
1701 SE Columbia River Dr  
Vancouver, WA 98661

**OWNER:** Hilltop Mall LLC, Attn - Craig Danielson  
PO Box 2200  
Oregon City, OR 97045

**REPRESENTATIVES:** Jill Long                                      WHPacific – Attn: Mark Perniconi  
Lane Powell PC    9755 SW Barnes Road  
601 SW Second Avenue,    Suite 2100 Suite 300  
Portland, OR 97204-3158    Portland, OR 97225

**REQUEST:** Approval of a Master Development Plan, Detailed Development Plan and Natural Resource Overlay District Review for Redevelopment of the Hilltop Mall, including a new Grocery Store and Retail, Parking Lot and Associated Improvements.

**LOCATION:** 1500 Molalla Avenue, Oregon City  
Clackamas County Map 3-2E-5E, Tax Lots 200, 203, 204, 205, 206, 300

**REVIEWERS:** Pete Walter, AICP, Associate Planner  
Bob Cullison, EIT, Development Services Manager

**RECOMMENDATION:** Approval with Conditions.

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<sup>1</sup> For the purposes of OCMC 17.65, the terms “Master Plan”, “Master Development Plan”, “General Development Plan” and “General Development Plan” are used interchangeably in this staff report.

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

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.

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 722-3789.

#### **DECISION CRITERIA**

The development proposal will be analyzed for compliance with the following Chapters of the Oregon City Municipal Code:

- 12.04 - Streets, Sidewalks and Public Places,
- 12.08 - Public and Street Trees,
- 17.32 - "C" General Commercial District
- 17.41 - Tree Protection Standards
- 17.49 - "NROD" - Natural Resource Overlay District
- 17.50 - Administration and Procedures
- 17.52 - Off-Street Parking and Loading
- 17.54 - Supplemental Zoning Regulations
- 17.62 - Site Plan and Design Review
- 17.65 - Master Plans

#### **REVIEW CONSIDERATIONS**

The applicant has stated throughout the application that it is the existing development patterns of the site, ground lease agreements, storm sewer easement, and the design of the internal private street system that drive the need for the requested code adjustments.

The Planning Commission should evaluate the application and determine whether the proposal, adjustments and mitigation meet the intent of the Oregon City Municipal Code or whether it is



practicable for the applicant to meet the standard(s) without an adjustment. Staff has recommended approval of the application with the attached Conditions of Approval.

### **PROPOSED DEVELOPMENT**

The applicant is requesting the approval of a General Development Plan and Detailed Development Plan for Phase I associated with the Hilltop Center redevelopment. Both of these plans are intended to be reviewed concurrently through a Type III procedure as part of the City's Master Plan process. The Master Plan is a two-step process consisting of a General Development Plan and a Detailed Development Plan. Each of these plans are described in detail below:

#### **General Development Plan**

Phase I of the General Development Plan is the construction of a new grocery/retail building that is located in the central portion of the site. Currently, there is existing commercial development (i.e. Key Bank, McDonalds and US Bank) located along the entire frontage of Molalla Avenue. In contrast, there is no development fronting the street along Beaver creek Road. This is due to the presence of a storm sewer easement which precludes structures within close proximity to the roadway. The storm drain easement (per fee 92-09152) location is indicated on the applicant's site plan Sheet C2.0. The easement is 15' wide where it crosses the front of the property and widens to 25' at the southeast corner of the site.

Given the existing development pattern and the location of the easement, there is little to no opportunity to place large buildings of the size proposed along either of these main frontages and meet the City's maximum building setback requirement. However, non-structural improvements such as pedestrian plazas, sidewalks, walkways, driveways and parking areas have been proposed and are permitted to be constructed in this area.

The applicant is proposing to upgrade the existing internal parking lot with a drive that will run east-west through the site and link Molalla Avenue with Beaver creek Road. The new grocery building would front along the private E-W drive through the site, facing north. In-line retail space would be placed on the east and south sides of the grocery building facing Molalla Avenue and Beaver creek Road.

The new and existing buildings within the development would be linked to the surrounding pedestrian sidewalk system through a series of enhanced interconnected walkways and accessible routes.

In addition, the applicant has proposed pedestrian plazas and amenities along the frontage of the grocery building and along the south side and east side of the retail area near Beaver creek Road.

The proposed Master Plan Boundary indicates 1,038 spaces will exist when all phases are completed, and the Detailed Development Plan boundary indicates 572 spaces will be included/constructed as part of Phase I.

The applicant is requesting a 10% reduction in the number of spaces due to the project's proximity to major transit corridors. The applicant has not requested any further reduction for shared use of the parking lot at different times of the day.

Parking improvements would be located to the north, east and south of the main grocery/retail building.

The applicant has proposed traditional landscape islands as required by code. The perimeter of the parking area is flanked on the west side by one pedestrian walkway with additional trees and landscape planters.

The General Development Plan identifies a 7,600 square foot restaurant pad, a future 10,500 square foot fuel center pad associated with the grocery development and a new retail complex at the corner of Molalla Avenue and Beaver Creek Road. The new commercial complex will contain a pedestrian plaza near the intersection with connections to the interior of the site.

At build-out, the General Development Plan would contain approximately 178,805 square feet of commercial retail space. This total represents a slight reduction (i.e. 1,127 square feet) in the existing total square footage of 179,932 square feet currently located within the subject property.

#### **Detailed Development Plan**

The Detailed Development Plan consists of all Phase 1 improvements identified in the General Development Plan. More specifically, the Detailed Development Plan will include the removal of the existing structure consisting of approximately 98,026 square feet. This will be replaced with three contiguous buildings totaling 78,843 square feet for a temporary net decrease in gross square footage of 19,183 square feet.

The main grocery building is separated from the exterior or ancillary elements by structural walls. Elements have been added to the building shell, including the proposed canopy on the north side of the building, plaza elements, driveways, landscaping and other exterior elements. As proposed, the grocery store is considered a separate building, which is structurally separated from the ancillary retail buildings, although the roofing system will overlap.

The interior of the grocery store is laid out with the loading area situated at the southeast corner, closest to the truck bays. The bakery counter is located at the southwest corner, and the deli counter at the northeast. Across the back (south) wall of the grocery are located the meat counter, dairy products and a pharmacy. Between the two large main entrances at the front (north) of the store are proposed a coffee shop, bank, customer service area and bathrooms. The produce section is located along the west wall.

The in-line retail buildings also constitute two separate buildings (6,700 square feet and 16,588 square feet respectively) which will each be divided into tenant spaces and which are separated by an egress (exit) corridor on the south side of the grocery building. All three buildings however are considered one building for the purposes of site plan and design review. There is no direct access to the grocery store from the south side of the building.

Other improvements include the reconstruction of the Beaver Creek driveway entrance to reflect new traffic improvements; new parking on the west, north and east sides of the grocery/retail building with landscaped islands and tree plantings; development of pedestrian plazas and circulation routes; and mitigation enhancements along the drainage corridor paralleling Beaver Creek Road.

#### **LIST OF REQUESTED ADJUSTMENTS TO CITY CODE**

Through the Master Plan process, an applicant may request one or more adjustments to site related development standards (other than NROD standards which have separate adjustment criteria) which must be approved pursuant to the approval criteria in OCMC 17.62.070(D). The following list summarizes the applicant's requested adjustments:

	Code	Requirement	Requested Adjustment
1.	17.32.050 (E) -	Maximum Allowed Setbacks. 1. Front yard setback: Five feet (may be expanded with Site Plan and Design Review Section 17.62.055).	Due to easement area, expanded front setback of 40' to 200' from property line, pursuant to 17.62.055.D.
2.	17.62.050(A)(2)(a)	Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.	Parking in front of building fronting Beaver creek Road.
3.	17.62.055(C)(5)	Sites with >=150' of frontage shall locate at least 60% of the frontage with buildings within 5' of the property line, a greater setback is provided with a Public Amenity Area	Due to easement area, 0% is located within 5' of the property line (Approximately 6% of the 355' long building is within 5' of the easement line)
4.	17.62.055(D)(2)	Front façades shall be oriented toward the (public) street and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.	Main façade is oriented away from Beaver creek Road. No entranceway on Beaver creek Road.
5.	17.62.055(D)(3)	Entryways. The primary entranceway for each commercial or retail establishment shall face the major street.	Primary entranceway faces private street, not Beaver creek Road.
6.	17.62.080(C)(1)	All buildings shall have at least one main building entrance oriented towards the transit street. Building façades over three hundred feet in length require two or more main building entrances oriented towards the transit street. Main building entrances shall be well lighted and visible from the transit street.	No main building entrance facing toward transit street Beaver creek Road.
7.	17.49.110(A) 17.49.130 17.49.200	Natural Resource Overlay District - Width of Vegetated Corridor from Wetland. "Existing Development standards." These adjustments are reviewed separately pursuant to OCMC 17.49.130 and 200.	Re-development within required 50' NROD wetland buffer.

**EXISTING CONDITIONS**

The existing shopping center is comprised of six tax lots under single ownership totaling 910,610 square feet or approximately 20.9 acres (See Exhibit 4, Sheet EX2.0). All of the parcels are zoned C-General Commercial.

The parking lot is currently non-conforming with respect to the amount of interior landscaping, trees and landscaped islands separating parking stalls. Also, pedestrian and vehicular access is considered non-conforming.

The existing main north-south drive aisle through the site has a signalized intersection at Beaver Creek Road and a non-signalized intersection at Warner Milne Road. This drive aisle connects the northern commercial properties on the site and also to adjacent properties not within the Master Plan Boundary. As shown on the applicant's existing conditions plan sheet, slightly more than half of the site (53%) or 489,086 square feet is currently parking area. There are currently 969 parking spaces within the existing parking lot for the entire site.

Existing buildings on the site consist of the following:

<b>Building</b>	<b>Size</b>
Bugatti's Restaurant	4255 sf
Retail Shops	24472 sf
Key Bank	2761 sf
Coffee Rush	280 sf
Key Place	128 sf
Miller Paint Building	7200 sf
Act III Theatre	32,128 sf (1,852 seats)
Danielson's Grocery with Ancillary Retail	98,026 sf.
McDonald's Restaurant	5320 sf
US Bank	5300 sf

### **Existing Public Improvements**

**Molalla Avenue:** A five-lane configuration with bike lanes exists at the main McDonalds intersection on the east edge of the site.

**Warner-Milne Road:** A recently completed rebuild of this street exists at the northern edge of the site. It is a two-lane configuration with bike lanes and turn lanes into the site at two existing locations.

**Beaver Creek Road:** A five-lane configuration with bike lanes exists at the southern two existing drive approaches/intersection.

**Sanitary Sewer:** Public sanitary sewer exists on site running from north to south and draining into an existing manhole in Beaver Creek Road. The City's Sanitary Sewer Master Plan calls for an upsizing of the main at the southern end of the site.

**Water:** Public water mains exist on site and run through the site and will need to be modified to accommodate the proposed new buildings.

**Stormwater:** Public stormwater mains exist on site with a large main in an easement along Beaver Creek Road.

**Natural Resources:** There is a delineated Title 3 water resource / wetland on the site, referred to locally as "Theatre Ditch". The stream / wetland is identified as NE2 on the 1999 Oregon City Local Wetland Inventory. The wetland contains a perennial stream that connects to a large wetland complex to the northwest of the site. The ditch flows eastward across the front of the property and is confined between the right-of-way of Beaver Creek Road and the parking lot. The ditch enters a

storm pipe at a storm grate inlet at the main intersection off Beaver Creek Road. From that point the stream is in a pipe within the storm drain easement.

**SURROUNDING ZONING AND LAND USES**

As shown on Sheet C1.0, surrounding zoning and land uses are as follows:

North	MUC-1	Offices
East	MUC-2	Vacant / Commercial
South	C / MUE	Senior Care Facility / Business Park
West	C / MUE	Offices / Municipal Court / Police Station

**COMPLIANCE WITH APPLICABLE OREGON CITY MUNICIPAL CODE CRITERIA:**

**12.04.015 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 as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.*

**Finding: Complies with Conditions.** The Applicant has proposed a traffic circulation system on the site that makes good use of existing public intersections and site drive approaches. Optimum development of the site requires a strong N-S vehicular and pedestrian connection between Beaver Creek Road and Warner Milne Road, similar to a local public street. The applicant has proposed a "NS" private road connection that does not provide the needed connectivity through the site between Warner Milne Road and Beaver Creek Road.

The drive aisle should be designed to reduce conflicts between backing vehicles and moving vehicles, as well as provide a path on both sides for pedestrians.

To improve pedestrian and vehicular connectivity through the site in compliance with OCMC 17.52.070, OCMC 17.62.050.A.8 and A.9, meet the intent of Oregon City's adopted street standards, and provide a complete urban street design and level of service, the applicant shall construct or extend the proposed NS and EW private streets referred to as "EW" Street running east-west from the McDonalds intersection at Molalla Avenue and the "NS" Street running north-south from the Beaver Creek Road signalized intersection to Warner Milne Road to achieve the following design objectives:

- a. Minimize vehicular backing movements into the main drive aisles;
- b. Separate vehicle and pedestrian access;
- c. Provide complete pedestrian connections on both sides of the drive aisles to the extent practicable; and
- d. Provide trees and landscaping that complies with OCMC 17.52.

The improvements shall be triggered as follows:

- 1. Upon submittal of a site plan and design review application for site improvements pursuant to the approved phasing plan (Exhibit 21); or
- 2. If redevelopment of a building, tenant improvement or exterior site improvement is proposed sooner than the time frame specified in the

applicant’s phasing plan with a cumulative value of \$100,000.00 or more (not including those items specifically exempted from this calculation per OCMC 17.58.040.C.2.a.(1)-(4)); the application shall be conditioned to contribute a proportional share of the total cost of the pedestrian, vehicular, parking lot and landscaping improvements required for the identified phase.

**The Applicant can meet this criterion by complying with Conditions of Approval 3.**

**12.04.020 Street design—Generally.**

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

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

*B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the 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 with Conditions.** See Finding and Conditions of Approval above. **The Applicant can meet this criterion by complying with Conditions of Approval 3.**

**12.04.025 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.*

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

*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.*

**Finding: Complies with Conditions.** The Applicant states that in accordance with this section of code, all development will provide adequate right-of-way and pavement width for public streets.

The streets surrounding the site are all well developed existing streets with significant existing right-of-way. Currently, the right-of-way along Molalla Avenue is 85-90 feet wide, depending upon the location. The right-of-way centerline is 50 feet from the property line along the entire boundary of Molalla Avenue. Along Beaver Creek Road, the current right-of-way is 86 feet per side with the centerline being equal distance from the north and south property lines, 43 feet from centerline. Similarly, Warner Milne currently maintains a 60 foot right-of-way with the centerline being equal distance from the north and south property lines, 30 feet from centerline.

The City Engineer has reviewed the existing rights of way and has not requested any additional right-of-way for this project. As a practical point, along the majority of the right-of-way existing development that is not part of the detailed development plan application, there is no opportunity to dedicate additional right-of-way along each of these streets without significantly impacting the existing development along the perimeter of the site.

**Finding: Complies with Conditions.** To improve pedestrian and vehicular connectivity through the site in compliance with OCMC 17.52.070, OCMC 17.62.050.A.8 and A.9, and meet the intent of Oregon City's adopted street standards, and provide a complete urban street design and level of service, the applicant shall construct or extend the proposed NS and EW private streets referred to as "EW" Street running east-west from the McDonalds intersection at Molalla Avenue and the "NS" Street running north-south from the Beaver Creek Road signalized intersection to Warner Milne Road to achieve the following design objectives:

- a. Minimize vehicular backing movements into the main drive aisles;
- b. Separate vehicle and pedestrian access;
- c. Provide complete pedestrian connections on both sides of the drive aisles to the extent practicable; and
- d. Provide trees and landscaping that complies with OCMC 17.52.

**The Applicant can meet this criterion by complying with Conditions of Approval 3 & 4.**

**12.04.030 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: Not Applicable.** Since no new public streets are being proposed as part of the development, there is no need for access control plat restriction.

**12.04.035 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.** There are no new public streets proposed as part of the development.

**12.04.040 Minimum street intersection spacing standards.**

	<i>Distance in Feet between Streets of Various Classifications</i>								
	<i>Between Arterial and Arterial</i>	<i>Between Arterial and Collector</i>	<i>Between Arterial and Neighborhood Collector</i>	<i>Between Arterial and Local Street</i>	<i>Between Collector Street and Collector Street</i>	<i>Between Collector Street and Neighborhood Collector</i>	<i>Between Collector and Local Street</i>	<i>Between Neighborhood Collector and Local Street</i>	<i>Between two adjacent Local Streets</i>
<i>Measured along an Arterial Street</i>	1320	800	600	300	600	300	150	150	150
<i>Measured along a Collector Street</i>	800	800	600	300	600	300	150	150	150
<i>Measured along a Neighborhood Collector Street</i>	800	600	300	300	300	150	150	150	150
<i>Measured along a Local Street</i>	600	600	300	300	300	150	150	150	150
<i>Note: With regard to public intersection spacing standards, the same distances apply to both major arterial and minor arterial streets. In this table, the term "arterial" applies to both major arterial and minor arterial streets.</i>									

**Finding: Not applicable.** The applicant acknowledges that public intersections along Arterials (i.e. Major and Minor) streets are required to be spaced 1,320 feet apart. The existing public intersections along Molalla Avenue, Warner Milne Road and Beaver Creek Road do not meet this standard. Again, no new public intersections are being proposed.

**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	30 to 40 feet	20 to less than 32 feet

**Finding: Complies.** While the private drives are not technically constrained streets since they are not public, however, the private drives are at least 24 feet wide with sidewalks and have been approved by the city engineer, community development director and fire chief to meet minimum life safety requirements.

**12.04.050 - 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 with Conditions.** Based on the Applicant’s Traffic Impact Analysis (TIA), several transportation improvements are proposed for the development. This includes the reconstruction of the intersection of the south entry and Beaver Creek Road, as well as improvements to the east entry along Molalla Avenue. With the transportation improvements proposed, the TIA concludes that the LOS upon full build out of the proposed general development plan will remain either at the minimum acceptable LOS or above it. Refer to Exhibit 6 – Transportation Impact Analysis for a more detailed analysis.

The Phase 1 development is expected to produce a decrease of 100 daily trips, an increase of 40 AM peak hour trips, and a decrease of 20 PM peak hour trips relative to the prior use. The Phase 2 development is expected to produce increases of 430 net new trips on a daily basis with 30 net new trips during the AM peak hour and 35 net new trips in the PM peak hour. The Phase 3 development is expected to produce increases of 370 net new trips on a daily basis with 15 net new trips during the AM peak hour and 35 net new trips in the PM peak hour. The Phase 3 estimates account for the removal of the existing bank. The trip generation methodology was adequately explained and accurately executed.

As required in Oregon City’s Guidelines for Traffic Impact Analyses, the analysis includes all intersections where the change from the previous uses exceeds 25 peak hour trips. The applicant’s engineer reviewed traffic patterns and traffic volumes and evaluated 11 locations. The key intersections were:

- Warner Milne Road/Leland Road/Linn Avenue
- Warner Milne Road/Beaver Creek Road

- Warner Milne Road/Molalla Avenue
- Molalla Avenue/Beavercreek Road

The TIA was reviewed by the City's Transportation Consultant, John Replinger, P.E. of Replinger and Associates (See Exhibit 7). According to Mr. Replinger, traffic volumes were calculated for the intersections described in #1, above. At each location, the level of service (LOS) and delay calculations were provided to assess operations relative to the City's intersection LOS standard. In addition, the TIA provided an analysis of queuing. The analysis was undertaken for the PM peak hour and included year 2012 background conditions, 2012 with Phases 1 and 2 of the master plan; year 2020 background conditions; and year 2020 with Phase 3 of the master plan.

Because Phase 1 and Phase 2 are expected to result in relatively little additional traffic over those of the prior use and because they occur within two years, there is little impact. Phase 3, which was analyzed for year 2020, has somewhat greater impact and has to contend with additional background traffic growth.

Mr. Replinger found that the TIA provides an adequate basis upon which to assess the impacts of the Master Plan proposal. It is recommended that pursuant to the applicant's engineer's conclusion with regard to Phase 1 and Phase 2, capacity issues at the Warner Milne Road/Leland Road/Linn Avenue intersection need to be monitored, and adequacy of the system to accommodate Phase 3 needs to be demonstrated.

With regard to the easterly access to Beavercreek Road, Mr. Replinger recommends that the applicant review the performance, including crash history, in connection with site plan review for Phase 2 and Phase 3. The applicant should be aware that the City may alter the access, including restriction of movements, at any time.

Understanding and appreciating staff's concern about the future of this intersection, the applicant has proposed that the Phase 3 development proposed within the Master Plan be vested contingent on the applicant demonstrating that the intersection will operate acceptably. At the time of Phase 3 site plan application an abbreviated new traffic study would be provided by the applicant and, if intersection mitigation is needed, the applicant would be subject to providing an appropriate improvement.

At the time of Phase 3 site plan application, the Applicant shall provide a trip compliance letter for Phase 3 development. The trip compliance letter shall include:

- a) An updated weekday a.m. and p.m. peak hour operational analysis of the Warner Milne/Leland Road/Leland Avenue intersection, including proposed mitigation measure(s) if needed to support Phase 3 site development;
- b) Review of turn movement and pedestrian facilities associated with the site driveways in conjunction with the site plan application;
- c) Review and confirmation that the Phase 3 trip generation consistent is with (or lower than) the Master Plan TIA assumptions; and
- d) Review of the crash history and weekday a.m. and p.m. peak hour operational performance of the easterly access to Beavercreek Road with Phase 3 buildout.

If, based on the operational analysis above, there is a demonstrated need for capacity improvements during Phase 3 of the General Development Plan at the intersection of Warner Milne/Leland Avenue/Linn Avenue, before receiving building permits related to the Phase 3 Detailed Development Plan the applicant shall either construct or contribute a proportional share of funding for the construction the appropriate improvements at the intersection of Warner Milne/Leland Avenue/Linn Avenue. The needed improvements shall be determined based on a revised traffic impact analysis that will be submitted at the time a development application is submitted when the proposed uses are known.

**The Applicant can meet this criterion by complying with Conditions of Approval 3, 4, 15 and 16.**

**12.04.055 - 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 with Conditions.** The development has proposed an internal private street grid that will adjoin the public street system. Although not public streets, each of these drives intersects with the street at a ninety degree angle. Although this criteria is not applicable to this application because no public street is proposed, the Applicant points out that the internal private street grid will meet this standard. As stated several times in findings above, the Applicant shall provide the EW Street and NS Street to meet at 90 degrees as proposed.

**The Applicant can meet this criterion by complying with Conditions of Approval 3 & 4.**

**12.04.060 - 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 with Conditions.** A number of street trees (as shown on the landscape plans) will be added to achieve compliance with this standard. The Applicant shall provide one street tree for every 35 feet of site public street frontage for the Detailed Development Plan. Through the addition of street trees, the adjacent streets will meet the minimum requirements of this section.

**The Applicant can meet this criterion by complying with Condition of Approval 5 and 17.**

**12.04.065 - Street design—Half street.**

*Half streets, while generally not acceptable, may be approved where essential to the development, when in conformance with all other applicable requirements, and where it will not create a safety hazard. When approving half streets, the decision maker must first determine that it will be practical to require the dedication of the other half of the street when the adjoining property is divided or developed. Where the decision maker approves a half street, the applicant must construct an additional ten feet of pavement width so as to make the half street safe and usable until such time as the other half is*

constructed. Whenever a half street is adjacent to property capable of being divided or developed, the other half of the street shall be provided and improved when that adjacent property divides or develops. Access control as described in [Section] 12.04.200 may be required to preserve the objectives of half streets.

**Finding: Not Applicable.** The proposed development does not include any half street improvements. Therefore, this criterion is not applicable to this application.

**12.04.070 Street design—Cul de sacs and dead end streets.**

*The city discourages the use of cul de sacs and permanent dead end streets except where construction of a through street is found by the decision maker to be impracticable due to topography or some significant physical constraint such as unstable soils, wetland, natural or historic resource areas, dedicated open space, existing development patterns, or arterial access restrictions. When permitted, cul de sacs and permanent dead end streets shall have a maximum length of three hundred fifty feet, as measured from the right-of-way line of the nearest intersecting street to the back of the cul de sac curb face, and include pedestrian/bicycle accessways as provided in Section 17.90.220 of this Code and Chapter 12.24. This section is not intended to preclude the use of curvilinear eyebrow widening of a street where needed to provide adequate lot coverage. Where approved, cul de sacs shall have sufficient radius to provide adequate turn around for emergency vehicles in accordance with Fire District and city adopted street standards. Permanent dead end streets other than cul de sacs shall provide public street right-of-way/easements sufficient to provide turn around space with appropriate no parking signs or markings for waste disposal, sweepers, and other long vehicles in the form of a hammerhead or other design to be approved by the decision maker. Driveways shall be encouraged off the turnaround to provide for additional on street parking space.*

**Finding: Not Applicable.** The proposed development does not include any cul-de-sacs or permanent dead end roads.

**12.04.075 - 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: Not Applicable.** The Applicant acknowledges that no street name will be used which will duplicate or be confused with the name of an existing street. The proposed development does not include the development of any new public streets.

**12.04.080 - Street design—Grades and curves.**

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

**Finding: Complies.** In accordance with this section of the City's code, all grades and centerline radii for streets will conform to City's design standards and specifications.

**12.04.085 - Street design—Development abutting arterial or collector street.**

*Where development abuts or contains an existing or proposed arterial or collector street, the decision maker may require: access control; screen planting or wall contained in an easement or otherwise protected by a restrictive covenant in a form acceptable to the decision maker along the rear or side property line; or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic. Reverse frontage lots with suitable depth may also be considered an option for residential property that has arterial frontage. Where access for development abuts and connects for vehicular access to another jurisdiction's facility then authorization by that jurisdiction may be required.*

**Finding: Not applicable.** The site does not abut residential properties and therefore the portion of this criterion related to protection of residential properties is not applicable to this application.

**12.04.090 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.*

**Finding: Complies.** This standard is intended to discourage cut-through traffic and improve pedestrian safety on local streets. The applicant has not proposed any local street dedication within the site; however the private drive system is designed with pedestrian crosswalks and stop signs that encourage motorists to drive slower or to stop at appropriate locations.

**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.*

**Finding: Complies.** The proposed development will provide non-residential driveway curb cuts that are designed to the required widths.

**12.04.100 Street design—Alleys.**

*Public alleys shall be provided in the following districts R 5, R 3.5, R 2, MUC 1, MUC 2 and NC zones unless other permanent provisions for private access to off street parking and loading facilities are approved by the decision maker. The corners of alley intersections shall have a radius of not less than ten feet.*

**Finding: Not applicable.** The proposed development is zoned C – General Commercial.

**12.04.105 Street design—Transit.**

*Streets shall be designed and laid out in a manner that promotes pedestrian and bicycle circulation. The applicant shall coordinate with Tri Met where the application impacts transit streets as identified on Figure 5.7: Public Transit System Plan of the Oregon City Transportation System Plan. Pedestrian/bicycle accessways shall be provided as necessary in conformance with the requirements in Section 17.90.220 of this Code and Chapter 12.24 to minimize the travel distance to transit streets and stops and neighborhood activity centers. The decision maker may require provisions, including easements, for transit facilities along transit streets where a need for bus stops, bus pullouts or other transit facilities within or adjacent to the development has been identified.*

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. The proposed development is located adjacent to two transit streets: 1) Molalla Avenue; and 2) Beavercreek Road. Currently, Bus Route #32 follows along Molalla Avenue and maintains a bus stop near the corner of Warner Milne and Molalla Avenue, just beyond the boundaries of the

Master Plan. Route #33 follows Beavercreek Road and maintains a bus shelter between the intersection of Molalla Avenue and the south entry.

Tri-Met provided written comments regarding the proposed development (Exhibit 22). The applicant shall coordinate with the Tri-Met at the time the final construction plans are submitted to the Development Services Department to ensure that the design and location of the tri-met stop on Beavercreek Road meets City and Tri-Met standards. **Applicant can assure this standard is met through Condition of Approval 20.**

**12.04.110 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 ten 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.*

**Finding: Complies with Conditions.** Because of the constrained site (e.g. presence of the wetland/stormwater easement) along Beavercreek Road, the applicant has proposed street trees on the abutting private property within ten feet of the public right-of-way. By providing the street trees on the private property the Applicant is providing the necessary tree canopy without interfering with the protected wetland or the stormwater easement. The Applicant shall provide the City with the appropriate Street Tree Covenant documents as required.

**The Applicant can meet this criterion by complying with Condition of Approval 6.**

**12.04.120 Obstructions—Permit required.**

**Finding: Not applicable.** The proposed development does not include any obstructions that will impact the right-of-way; therefore this criterion is not applicable. However, if a potential obstruction is identified, a right-of-way permit will be obtained and the appropriate fees will be paid pursuant to this section.

**12.08. PUBLIC AND STREET TREES**

**12.08.010 - Purpose.**

- The purpose of this chapter is to:*
- A. Develop tree lined streets to protect the living quality and beautify the city;*
  - B. Establish physical separation between pedestrians and vehicular traffic;*
  - C. Create opportunities for solar shading;*
  - D. Improve air quality; and*
  - E. Increase the community tree canopy and resource.*

**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.*

*C. 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.*

**Finding: Complies with Conditions.** The existing street cross-section has a limited number of existing street trees planted behind the sidewalk. The applicant is responsible for assuring that there are sufficient street trees planted along the Beavercreek Road frontage. The site has approximately 1000 feet of public street frontage within the detailed development plan boundary on Beavercreek Road.  $1000 \div 35 = 28$  street trees are required. Should spacing requirements or constrained planting areas require the planting of street trees outside the ROW, the applicant shall provide a recorded document in a form approved by the city that designates the trees planted outside the right-of-way as public street trees. Street trees shall be calculated separately from and in addition to: interior and perimeter parking lot trees, landscaping trees that are not parking lot trees, and trees that are required as mitigation within the Natural Resource Overlay District. Additional street trees shall be required to be planted on-site, off-site or paid into the tree bank by fee-in-lieu pursuant to OCMC 12.08.015. Applicant shall provide a revised street tree plan and restrictive covenant for any street trees planted within the front yard setback in accordance with this section during construction plan review. **Applicant can meet this standard through condition of approval 17 and 18.**

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

**Finding: Complies.** All trees will have a minimum caliper of two inches above the root crown.

**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.*

**Finding: Complies with Conditions.** There is no established planting scheme adjacent to the lot frontage on Beavercreek Road and there are no overhead power lines. There is a curb tight sidewalk already in place. The applicant shall select the tree species from the Oregon City Street Tree List, or propose a suitable species of tree or trees for the planting area recommended by a registered landscape architect and approved by the Community Development Director. **Applicant can assure this standard is met through Condition of Approval 5 and 17.**

**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.*

**Finding: Complies with Conditions.** According to the applicant, no public street trees will be removed as part of the proposed development. Should removal of existing street trees be determined to be necessary during construction plan review, the applicant is responsible for mitigating for their removal pursuant to this section. **Applicant can assure this standard is met through Condition of Approval 5 and 17.**

**17.32. "C" - GENERAL COMMERCIAL DISTRICT**

**17.32.010 Designated.**

*Uses in the general commercial district are designed to serve the city and the surrounding area. Land uses are characterized by a wide variety of establishments such as retail, service, office, multi family residential, lodging, recreation and meeting facilities or a similar use as defined by the community development director.*

**Finding: Complies.** All uses proposed are consistent with the purpose of the general commercial district.

**17.32.020 Permitted uses.**

*A. Any use permitted in the MUE - Mixed-Use Corridor zone with no maximum footprint size, unless otherwise restricted in Sections 17.24.020, 17.24.030 or 17.24.040;*

*B. Hotels and motels;*

*C. Drive-in or drove through facilities;*

*D. Passenger terminals (water, auto, bus, train);*

*E. Gas stations;*

*F. Outdoor markets that do not meet Section 17.29.020.H;*

*G. Motor vehicle and recreational vehicle sales and/or incidental service;*

*H. Motor vehicle and recreational vehicle repair and/or service;*

*I. Custom or specialized vehicle alterations or repair wholly within a building.*

**Finding: Complies.** The applicant provided a detailed response to this standard. The types of uses allowed within the MUC - Mixed Use Corridor zone are permitted outright within the General Commercial (C) district. Permitted uses include "Restaurants, eating and drinking establishments without a drive through" and "Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, and similar, provided the maximum footprint for a stand alone building with a single store or multiple buildings with the same business does not exceed sixty thousand square feet." (See OCMC Section 17.29) The proposed uses for the General Development Plan and the Detailed Development Plan all fall within the two permitted use categories described above. Specifically, the project includes a 55,465 square foot Grocery Store and approximately 23,378 associated In Line Retail Space.

**17.32.030 Conditional uses.**

**Finding: Not applicable.** Applicant has not proposed any uses listed under Section 17.32.030.

**17.32.040 Prohibited uses in the General Commercial District.**

*The following uses are prohibited in the General Commercial District:*

*A. Distribution, wholesaling and warehousing.*

*B. Outdoor sales or storage (Except secured areas for overnight parking or temporary parking of vehicles used in the business. Sales of products not located under a roof may be allowed if they are located in an area that is architecturally connected to the primary structure, is an ancillary use and is approved through the Site Plan and Design Review process. This area may not exceed fifteen percent of the building footprint of the primary building).*



C. General manufacturing or fabrication.

D. Heavy equipment service, repair, sales, storage or rental (including but not limited to construction equipment and machinery and farming equipment).

**Finding: Complies.** Applicant requests to be permitted to allow outdoor sales of products not located under a roof through the Site Plan and Design Review process. The applicant is requesting the approval of an outdoor sales area pursuant to (B) of this section. The ancillary outdoor sales will include fire wood, exterior produce and floral displays. The outdoor sales area would be located in the front plaza area of the north entrance of the grocery store. With a grocery building footprint of 55,465 square feet, the maximum allowable area for outdoor sales is 8,320 square feet. The proposed outdoor ancillary sales will be 5,420 square feet, which is well below the allowable area. The front plaza area, as shown on the applicant's site plans, is architecturally connected to the primary structure.

**17.32.050 - Dimensional standards.**

A. Minimum lot area: None.

B. Maximum building height: Sixty feet.

**Finding: Complies with Condition.** The subject property includes six parcels varying in size from 0.16 acres to 9.77 acres. Listed below is a summary of the parcels identified as part of the General Development Plan and Detailed Development Plan.

Tax Lot	Acres	Included in General Development Plan	Included in Detailed Development Plan
Tax Lot 200	9.77 Acres	Yes	Yes
Tax Lot 203	9.14 Acres	Yes	Yes
Tax Lot 204	0.57 Acres	Yes	No
Tax Lot 205	0.68 Acres	Yes	No
Tax Lot 206	0.56 Acres	Yes	Yes
Tax Lot 300	0.16 Acres	Yes	Yes
Total	20.88 Acres		

No lot consolidation is proposed as part of the General Development Plan and/or Detailed Development Plan. The existing coffee shop straddles the lot line between Tax Lots between Tax Lot 200 and 203 and is considered non-conforming. The applicant has indicated that this building will be relocated as part of the parking lot improvements. In the event that the Coffee Rush building is not re-located the applicant shall submit a line adjustment / abandonment request to relocate the property line to that it does not bisect the building. Since there is no minimum lot area, the existing lots are adequate to serve their intended use. Existing structures within the General Development Plan area are all less than 30 feet in height. While future building heights have not been identified within the Conceptual Development Plan boundary, the proposed structures within the Detailed Development Plan range from approximately 20 feet to 40 feet in height. **Applicant can meet this standard through Condition of Approval 25.**

C. Minimum required setbacks if not abutting a residential zone: None.

**Finding: Complies.** This standard allows buildings to be built to the property line.

D. Minimum required interior and rear yard setbacks if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every two feet of building height over thirty five feet.

**Finding: Not applicable.** None of the parcels abut a residential zoning district.

*E. Maximum Allowed Setbacks.*

1. *Front yard setback: Five feet (may be expanded with Site Plan and Design Review Section 17.62.055).*
2. *Interior side yard setback: None.*
3. *Corner side yard setback abutting street: None.*
4. *Rear yard setback: None.*

**Finding: The applicant has requested adjustment of this standard per 17.65.070.** There is an existing storm easement along Beaver Creek Road that precludes structural development to meet the 5 feet front yard setback requirement. Existing development along Warner Milne Road and Molalla Avenue preclude any development within 5 feet of either of those streets. Along Beaver Creek Road development is precluded within 5 feet of the road by both a city sewer easement and an NROD natural resource waterway. Due to these site constraints, the applicant is seeking relief from this code requirement through a setback expansion.

The criteria related to expansion through site plan and design review are discussed later in Section 17.62.055.D.1 and the criteria related to an adjustment to the development standard are discussed at Section 17.65.070.

As existing structures along Warner Milne Road and Molalla Avenue are redeveloped, conformance to the criterion of this section will be evaluated based on future site plan and design review applications.

*F. Maximum site coverage of building and parking lot: Eighty five percent.*

**Finding: Complies.** Within the General Commercial (C) district, the maximum site coverage of the building and parking lot is eighty five percent.

The subject property includes six parcels and contains roughly 20.9 acres (i.e. 910,610 square feet). Based on this figure, 85% or 774,019 square feet is the maximum site coverage of the buildings and parking lots that is allowed.

Currently, existing development occupies 88.0% of the subject property. Through build out of the General Development Plan and Detailed Development Plan 84.2% of the site will be occupied by buildings and parking. Based on these statistics, the proposed development will bring the subject property into conformance with this section of the City code.

*G. Minimum landscaping requirement (including parking lot): Fifteen percent.*

**Finding: Complies with Conditions.** The subject property contains roughly 20.9 acres or 910,610 square feet. The minimum landscaping requirement is 15% or 136,592 square feet. Within the proposed General Development Plan and Detailed Development Plan 493,907 square feet or 17% of the overall site will consist of various landscape treatments, including parking lot islands, water quality landscaping strips, and perimeter landscaping.

The applicant has provided a revised parking lot plan (Exhibit 26). The applicant shall provide a revised landscaping plan for review and approval by the Community Development Director that incorporate the most recent revisions. **Applicant can assure this standard is met through Condition of Approval 19.**

**17.41. TREE PROTECTION STANDARDS**

**17.41.020 - Tree protection—Applicability.**

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. For public capital improvement projects, the city engineer shall demonstrate compliance with these standards pursuant to a Type II process. Additionally, tree removal on slopes greater than twenty five percent where canopy area removal exceeds twenty five percent of the lot, unless exempted under Section 17.41.030, shall be subject to these standards. A heritage tree or grove which has been designated pursuant to the procedures of Section 12.08.050 shall be subject to the standards of this section.

**Finding: Complies.** The applicant submitted a preliminary tree preservation that shows the locations of all trees on the site proposed for retention and removal. The tree protection plan calls for a total of 28 trees to be removed, with 18 to be removed from the Detailed Development Plan area. A total of 42 new trees are proposed to be planted for mitigation purposes (see Section 17.41.050 for further information on the mitigation plan).

**17.41.050 - Compliance options.**

Applicants for review shall comply with these requirements through one 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; or*

**Finding:** The applicant has chosen Option 1 Mitigation, which includes the retention and removal of trees along with subsequent replanting in order to comply with the tree protection standards. See the chart in Section 17.41.060 for a full break down of the mitigation tree planting: in phase 1 through the Detailed Development Plan a total of 18 trees will be removed and 42 new trees will be planted.

**17.41.060 Tree removal and replanting—Mitigation (Option 1).**

Size of Tree Removed (DBH)	Column 1 Number of trees to be planted. (If removed Outside of construction area)	Column 2 Number of trees to be planted. (If removed Within the construction area)
6 to 12"	3	1
13 to 18"	5	2
19 to 24"	8	3
25 to 30"	10	4
31 and over"	15	5

*Example: a site contains three ten-inch trees to be removed within the building area, and two twenty-inch trees to be removed outside of the building area. The total number of replacement trees is determined as follows:*

*Outside Building Area: Two (2) × 20" trees and One (1) 26" tree:*

*(2 × 8) + (1 × 10) = 36 replacement trees required*

*Within Building Area: Three (3) × 10" trees:*

*3 × 1 = 3 replacement trees*

*Total Replacement Trees Required = 36 + 3 = 39 trees*

*The number of replacement trees required on a development site shall be calculated separately from and in addition to any public or street trees in public right-of-way required under Chapter 12.08—Community Forest and Street Trees. Where the community development director determines it is impracticable or unsafe to preserve regulated trees, the applicant may be allowed to remove the trees so long as they are replaced in accordance with an approved landscape plan that includes new tree plantings of at least one and one half inches in caliper measured six inches above the root crown, or equivalent size as approved by the community development director, and the plan must meet, at a minimum, the requirements of Table 17.41.060 1.*

**Finding: Complies with Conditions.** The applicant's tree protection plan calls for a total of 28 trees to be removed, with 18 to be removed from the Detailed Development Plan area. There are six Norway Maples to be removed which are listed as a nuisance species on the Oregon City Nuisance Plant list; however the trees were planted as a formal landscape tree at the time the Hilltop Mall was approved. Therefore they shall each be replaced at a ratio of 1:1. The applicant shall provide a revised planting plan at the time of Construction Plan review indicating the location and species of all replacement trees within the General Development Plan Boundary. Mitigation trees shall be counted separately from and in addition to landscape trees, street trees, parking lot trees, and mitigation trees within the NROD buffer. A total of 42 new trees are required to be planted for mitigation purposes.

Tree Reference (See Tree Preservation Plan)	Species	Size	Tree Equivalency Outside of Construction Area	Tree Equivalency Within Construction Area	Total Number of Trees Required for Mitigation
1	Pine	8"	3		3
2	Hornbeam	16"	5		5
3	Hornbeam	16"	5		5
4	Cherry	6"	3		3
5	Cherry	8"	3		3
6	Cherry	10"	3		3
7	Cherry	6"	3		3
8	Cherry	8"	3		3
9	Cherry	6"	3		3
10	Cherry	6"	3		3
11	Cherry	12"	3		3
12	Norway Maple	10"		1	1
13	Norway Maple	8"		1	1
14	Norway Maple	10"		1	1
15	Norway Maple	12"		1	1
16	Norway Maple	10"		1	1
17	Norway Maple	10"		1	1
18	Cedar	20"		3	3
19	Maple	4"			
29	Maple	6"	3		3
21	Maple	10"	3		3
22	Pine	10"		1	1
23	Pine	8"		1	1
24	Pine	12"		1	1
25	Pine	18"		2	2
26	Pine	18"		2	2
27	Pine	14"	5		5
28	Pine	14"	5		5
Total			53	16	69

Shaded areas represent trees within Detailed Development Plan boundary.

Tree Reference (See Tree Preservation Plan)	Species	Size	Tree Equivalency Outside of Construction Area	Tree Equivalency Within Construction Area	Total Number of Trees Required for Mitigation
2	Hornbeam	16"	5		5
3	Hornbeam	16"	5		5
10	Cherry	6"	3		3
11	Cherry	12"	3		3
12	Norway Maple	10"		1	1
13	Norway Maple	8"		1	1
14	Norway Maple	10"		1	1
15	Norway Maple	12"		1	1
16	Norway Maple	10"		1	1
17	Norway Maple	10"		1	1
18	Cedar	20"		3	3
22	Pine	10"		1	1
23	Pine	8"		1	1
24	Pine	12"		1	1
25	Pine	18"		2	2
26	Pine	18"		2	2
27	Pine	14"	5		5
28	Pine	14"	5		5
<b>Total</b>			<b>26</b>	<b>16</b>	<b>42</b>

**Applicant can assure this standard is met through Condition of Approval 18.**

**17.41.070 - Planting area priority for mitigation (Option 1).**

*Development applications which opt for removal of trees with subsequent replanting pursuant to Section 17.41.050A. and shall be required to mitigate for tree cutting by complying with the following priority for replanting standards C.1.—4. below:*

*B. First Priority. Replanting on the development site. First priority for replacement tree locations shall be planting on site.*

**Finding:** The applicant provided a detailed response to this standard. In accordance with this section, all replanting will occur within the proposed General Development Plan boundary.

*C. Second Priority. Off site replacement tree planting locations. If the community development director determines that it is not practicable to plant the total number of replacement trees on site, a suitable off site planting location for the remainder of the trees may be approved that will reasonably satisfy the objectives of this section. Such locations may include either publicly owned or private land and must be approved by the community development director.*

**Finding: Not applicable.** The applicant provided a detailed response to this standard. No off site replacement of trees will be required.

**17.41.075 Alternative mitigation plan.**

*The community development director may, subject to a Type II procedure, approve an alternative mitigation plan that adequately protects habitat pursuant to the standards for the natural resource overlay district alternative mitigation plan, Section 17.49.190.*

**Finding: Complies with Conditions.** The applicant is requesting the approval of an alternative mitigation plan pursuant to Section 17.49.180. The applicant proposes to landscape additional property adjacent to the Natural Resource Overlay District. This proposed area consists of approximately 4,774 square feet. The proposed planting will be in addition to the planting previously allowed by the owner as part of the City's mitigation. The applicant is proposing to supplement the vegetation along the drainage corridor with a mixture of native trees and shrubs.

The Applicant shall submit a Mitigation Plan Report that addresses 17.49.230. The Applicant shall document that any mitigation required by the Department of State Lands (DSL) and Army Corps of Engineers as part of the removal/fill permit is also included in the Mitigation Plan Report.

**Applicant can assure this standard is met through Condition of Approval 13.**

**17.41.130 Regulated tree protection procedures during construction.**

*A. No permit for any grading or construction of public or private improvements may be released prior to verification by the community development director that regulated trees designated for protection or conservation have been protected according to the following standards. No trees designated for removal shall be removed without prior written approval from the community development director.*

**Finding: Complies.** The applicant shall protect the trees through implementation of the tree protection program described in more detail above. Similarly, no trees designated for removal will be removed without prior written approval from the Community Development Director.

*B. Tree protection shall be as recommended by a qualified arborist or, as a minimum, to include the following protective measures:*

- 1. Except as otherwise determined by the community development director, all required tree protection measures set forth in this section shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and such measures shall be removed only after completion of all construction activity, including necessary landscaping and irrigation installation, and any required plat, tract, conservation easement or restrictive covenant has been recorded.*
- 2. Approved construction fencing, a minimum of four feet tall with steel posts placed no farther than ten feet apart, shall be installed at the edge of the tree protection zone or drip line, whichever is greater. An alternative drip line fencing material secured by metal posts staked at no more than four feet on center around the drip line of the tree or grove may be used with the approval of the community development director.*
- 3. Approved signs shall be attached to the fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the community development director.*
- 4. No construction activity shall occur within the tree protection zone, including, but not limited to; dumping or storage of materials such as building supplies, soil, waste items; nor passage or parking of vehicles or equipment.*
- 5. The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run off.*
- 6. No excavation, trenching, grading, root pruning or other activity shall occur within the tree protection zone unless directed by an arborist present on site and approved by the community development director.*
- 7. No machinery repair or cleaning shall be performed within ten feet of the drip line of any trees identified for protection.*
- 8. Digging a trench for placement of public or private utilities or other structure within the critical root zone of a tree to be protected is prohibited. Boring under or through the tree protection zone may be permitted if approved by the community development director and pursuant to the approved written recommendations and on site guidance and supervision of a certified arborist.*
- 9. The city may require that a certified arborist be present during any construction or grading activities that may affect the drip line of trees to be protected.*
- 10. The community development director may impose conditions to avoid disturbance to tree roots from grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist.*

**Finding: Complies with conditions.** All of the trees identified for protection are located on the periphery of the subject property. As noted on the tree preservation plan, construction fencing with appropriate signage will be installed at the edge of the tree protection zone or dripline. Applicant shall not grade or begin construction activities prior to verification by the Planning Division that adequate tree protection fences and measures have been installed pursuant to OCMC 17.41.130(B). All contractors working on the site shall receive a copy of Section 17.41.130(B) at the city pre-construction meeting. **This standard can be met through Condition of Approval 18.**

*C. Changes in soil hydrology due to soil compaction and site drainage within tree protection areas shall be avoided. Drainage and grading plans shall include provision to ensure that drainage of the site does not conflict with the standards of this section. Excessive site run off shall be directed to appropriate storm drainage facilities and away from trees designated for conservation or protection.*

**Finding: Complies.** In accordance with this section of the City's Municipal Code, soil compaction and site drainage within the tree protection areas will be avoided. Drainage and grading plans will be designed to direct excessive site run off to appropriate storm drainage facilities and away from trees designated for conservation or protection.

#### **17.47. EROSION AND SEDIMENT CONTROL**

**Finding: Complies.** In accordance with this section, the applicant provided a preliminary erosion/sedimentation control plan illustrating location of drainage patterns and drainage courses on and within one hundred feet of the project boundary.

#### **17.49. NATURAL RESOURCE OVERLAY DISTRICT**

The applicant acknowledges the existence of the NROD based on the documentation provided in the 1999 local wetland inventory. However, it is important to note that this feature was rerouted to its current location as part of the Beaver Creek Road improvements initiated by the City in 1991. The existing man made drainage way has naturalized over the years and was originally planted with vegetative materials as part of a City wide cleanup effort.

The City of Oregon City (the City) has contracted with David Evans and Associates, Inc. (DEA), to review permit applications located within the Natural Resource Overlay District (NROD) and mitigation plans, as applicable, to ensure they meet Oregon City land development code criteria.

DEA has provided a memorandum (Exhibit 13) that includes findings and recommendations related to the Applicant's development application (WR 10-03). The memorandum addresses only the NROD application review related to Oregon City Municipal Code (OCMC) 17.49. Within the NROD buffer, the proposed project would include expansion of the entry roadway and associated culvert, and sidewalk improvements.

In response to DEA's comments the applicant provided a follow-up memorandum dated October 20, 2010 which indicates that the applicant will address all of the comments (Exhibit 18).

#### **17.490.030 Map as Reference**

**Finding: Complies with Conditions.** The applicant's Hilltop Center Site Assessment/Wetland Determination (ES&A, August 13, 2010) describes the NROD buffer in the vicinity of the project. The existing development pattern includes Beaver Creek Road to the south and the existing Hilltop Mall to the north. The OCMC requires a 50-foot buffer from an NROD resource per Table 17.49.110.



The Applicant provides information that appears to be requesting verification of the NROD boundary, because the Applicant asserts that the NROD boundary extend only to the sidewalk at the top of slope, not into the project site as identified on the City's online mapping system (accessed online via OCMaps, September 27, 2010). The Applicant's assertion that the buffer only extends to the existing sidewalk is not consistent with the mapped NROD overlay. Additionally, the proposed mitigation plan assumes that the buffer extends only to the sidewalk, not to the full extent of the 50-foot buffer, as shown on Oregon City NROD overlay maps for the area. Verification of the NROD overlay as required under 17.49.250 should occur to address this discrepancy and to accommodate the proposed mitigation plan.

**17.49.110: Width of Vegetated Corridor**

As described above in response to 17.49.030, it appears that the Applicant has elected to verify the NROD buffer and has applied its findings to the proposed mitigation plan, as opposed to applying the 50-foot buffer required in Table 17.49.110. The Applicant has determined that the NROD includes only the areas between the existing sidewalks on the northern and southern boundary of the waterway, which is significantly less than a 50-foot buffer.

The Applicant notes that the waterway falls under the jurisdiction of the Oregon Department of State Lands (DSL) and the U.S. Army Corps of Engineers (USACE) because of the assumed connection to Newell Creek and the Willamette River. Oregon DSL and USACE will require a Joint Removal/Fill permit application to document any proposed impacts to the waterway from the culvert and associated road improvements. The Applicant's site assessment/wetland determination assumes that the impacts can be met with a DSL general authorization or will be exempt under DSL culvert maintenance, but the Applicant did not identify any additional USACE requirements. Any required mitigation would be accomplished through additional plantings along the existing waterway. The Applicant has not provided any information as to whether coordination with the Oregon DSL and USACE has occurred and what, if any, additional mitigation those agencies might require.

**17.49.180 Mitigation Standards**

The Applicant's mitigation plan addresses impacts within the waterway. Impacts to the NROD buffer include approximately 1,302 square feet of encroachment; the Applicant proposes providing approximately 2,604 square feet of mitigation area, which meets the minimum mitigation ratio of 2:1 as identified in 17.49.180(A). The Applicant's calculation of the impact area assumes that the NROD verification has occurred and that it is not the 50-foot Oregon City-mapped buffer area. Although the proposed mitigation area would extend the existing buffer of 8 to 9 feet (as the Applicant has identified) to 22 to 28 feet, this buffer is still within the Oregon City-delineated NROD buffer.

**17.49.180(B)** requires mitigation to occur onsite except under certain conditions. The Applicant meets this standard.

**17.49.180(C)** requires mitigation to occur within the NROD boundary. The Applicant meets this standard.

**17.49.180(D)** requires invasive species to be removed within the mitigation area. The Applicant meets this standard.



**17.49.180(E)** provides two options for mitigation planting. Because of the existing conditions of the site, the Applicant must meet the Option 2 planting standards under 17.49.180(E)(2). Option 2 requires the planting of 820 trees and 820 shrubs per acre of impact. The original mitigation plan identified 45 trees and 45 shrubs to be planted, although the revised mitigation plan (ES & A, August 13, 2010) identified a slightly larger impact area and acknowledged that an additional 4 trees and 4 shrubs will be required.

Overall, the Applicant will affect approximately 2,604 square feet of area, requiring a planting plan that includes 49 trees and 49 shrubs (0.06 acres of impact x 820 trees and 820 shrubs). DEA has confirmed this calculation. The planting plan also identifies the proposed plant list. The Applicant's planting plan proposes using three tree species and six shrub species, which meets the need for plant diversity under Option 2.

**17.49.180(F)** requires a five-year maintenance and monitoring period for mitigation planting. The Applicant has stated that maintenance and monitoring will be the responsibility of the Applicant and includes that statement in the mitigation planting plans. The Applicant has not developed maintenance and monitoring plan that specifically addresses this standard.

**17.49.200 Adjustment to Standards**

The Applicant is requesting an adjustment to the NROD boundary given the existing site conditions. The Applicant proposes to increase the size of the existing NROD buffer by removing existing impervious surface and relocating it farther away from the waterway. This, in combination with the proposed mitigation plan, will improve the area, although the proposed buffer area is still within the existing NROD boundary as identified by the City. The mitigation plan that was proposed is acceptable as long as the NROD boundary is verified. The applicant will verify the boundary through the Type I process.

**17.49.220 Required Site Plans**

The Applicant has submitted the necessary site plans through its original submittal and the additional material that was submitted to complete the application.

**17.49.230 Mitigation Plan Report**

The proposed mitigation planting plan submitted as part of the application identifies the total number of plantings that will be required, but the Applicant has not submitted a Mitigation Plan Report for review that meets the requirements of 17.48.230. The Applicant acknowledges this omission in its response to the criteria.

DEA provides the following comments in reference to this section of the NROD:

The Applicant has responded to several of the mitigation criteria outlined in 17.49.180, but as described above, the Applicant has identified a NROD boundary that is different than the Oregon City NROD boundary, which has affected the required mitigation and the number of plantings. DEA concurs with the proposed planting and mitigation plan and the benefits it could provide compared to the existing condition, meeting 17.49.230(B). However, the amount of mitigation as required in 17.49.180(A) should be reviewed in light of whether the City accepts the Applicant's delineated NROD buffer as opposed to the Oregon City-identified NROD boundary. The Applicant may also need to submit information to satisfy 17.49.250.

**17.49.230(C)** requires consultation with appropriate state and federal regulatory agencies. As described above, the Applicant has identified that the project will require a DSL Joint Removal/Fill

permit, but has not identified whether any additional USACE permits will be required. The Applicant has not provided documentation of any correspondence with USACE and DSL and whether those agencies will require any additional mitigation.

**17.49.230(D)** requires a construction timetable, and 17.49.230(E) addresses mitigation monitoring (see also the requirements under 17.49.180(F)). This information will need to be addressed in the Mitigation Plan Report.

**Recommended Conditions of Approval for Compliance with OCMC 17.49**

The Applicant's NROD application has addressed the majority of the criteria, with the following exceptions:

**1. 17.49.030 Map as Reference.** The Applicant has identified an alternative NROD boundary that takes into account the existing development pattern. The Applicant's justification for why the existing NROD boundary should not apply appears to be valid. The application has proposed a mitigation plan that complies with the planting requirements of 17.49.180. It will not be necessary to alter the proposed mitigation plan once the NROD boundary has been verified.

**Proposed condition of approval 12:** The Applicant shall submit a verifiable NROD boundary to meet the requirements of 17.49.250, pursuant to the Type I verification process provided in 17.49.255.

**2. 17.49.180(F).** The Applicant has not developed maintenance and monitoring plan addressing the required five-year maintenance and monitoring period. The application has proposed a mitigation plan that complies with the planting requirements of 17.49.180. It will not be necessary to alter the proposed mitigation plan in order to incorporate the maintenance and monitoring requirements of this section.

**Proposed condition of approval 13:** Prior to issuance of any construction or grading activities within the NROD portion of the site, the Applicant shall provide a maintenance and monitoring plan as required under 17.49.180(F) for review by the Community Development Director.

**3. 17.49.230.** The Applicant has provided some of the required information to satisfy this criterion, but has not submitted a Mitigation Plan Report for review. The applicant has acknowledged the need to provide additional documentation incorporating any state and federal permit conditions for a proposed extension of a culvert at the entrance from Beaver Creek Road.

**Proposed condition of approval 14:** Prior to issuance of any construction or grading activities within the NROD portion of the site, the Applicant shall submit a Mitigation Plan Report that addresses 17.49.230. The Applicant shall document that any mitigation required by DSL and USACE as part of the removal/fill permit is also included in the Mitigation Plan Report.

**Applicant can meet this standard through Conditions of Approval 12, 13 and 14.**

**CHAPTER 17.50 ADMINISTRATION AND PROCEDURES**

*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.*

**Finding: Complies.** This application was reviewed pursuant to the relevant procedures required by Chapter 17.50, including Planning Commission review of the overlay district requirements, public notice and comment, and recommended conditions of approval. Any appeal, request for reconsideration, or modification of this application shall be processed in accordance with the applicable procedures required by Chapter 17.50.

**17.50.030 - Summary of the city's decision-making processes.**

*The following decision-making processes chart shall control the City's review of the indicated permits:  
C. 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. 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(s) and property owners within three hundred feet. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission or the historic review board, all issues are addressed. The decision of the planning commission or historic review board is appealable to the city commission, on the record. The city commission decision on appeal from the historic review board or the planning commission is the city's final decision and is appealable to LUBA within twenty-one days of when it becomes final.*

**Finding: Complies.** The applicant is applying for a Type III review, since the applicant is requesting approval of a Master Development Plan and Detailed Development Plan as well as an adjustment from adopted NROD standards pursuant to OCMC 17.49.200.

**17.50.050 - Preapplication conference and neighborhood meeting.**

**Finding: Complies.** The applicant attended a formal pre-application conference PA 10-12 with the Planning Division staff on February 23, 2010. Staff presented the applicant with a detailed summary of comments at that time (Exhibit 8).

The applicant presented the project formally to the Hillendale Neighborhood Association on April 6, 2010 (Exhibit 5). Subsequent additional meetings have been held with the Citizen Involvement Council and Hillendale Neighborhood Association.

**17.50.090 - Public notices.**

*All public notices issued by the city with regard to a land use matter, announcing applications or public hearings of quasi-judicial or legislative actions, shall comply with the requirements of this section.  
Notice of Public Hearing on a Type III or IV Quasi-Judicial Application. Notice for all public hearings concerning a quasi-judicial application shall conform to the requirements of this subsection. At least twenty days prior to the hearing, the city shall prepare and send, by first class mail, notice of the hearing to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. The city shall also publish the notice in a newspaper of general circulation within the city at least twenty days prior to the hearing.*

**Finding: Complies.** Notice of the public hearing for this application was provided pursuant to this section. Mailed notice within 300' of the project area was sent out on September 3, 2010. Copies of the application were transmitted to the Citizen Involvement Committee, the Hillendale, Caufield and Gaffney Lane Neighborhood Associations and affected agencies on September 3, 2010. The notice was published in the Clackamas Review/Oregon City News on 20 days prior to the October 11, 2010 hearing date. Finally, the applicant posted six land use notices along the site frontage on September 16, 2010. All notices were sent or posted 20 days prior to the October 11, 2010 public hearing. The applicant requested a continuance of the October 11, 2010 public hearing to October 25, 2010.

**17.52. OFF STREET PARKING AND LOADING**

**17.52.010 Number of spaces required.**

*The construction of a new structure or at the time of enlargement or change in use of an existing structure within any district in the city, off street parking spaces shall be provided in accordance with this section. In the event several uses occupy a single structure or parcel of land, the total requirements for off street parking shall be the sum of the requirements of the several uses computed separately. Requirements for types of buildings and uses not specifically listed herein shall be determined by the community development director, based upon the requirements of comparable uses listed. Where calculation in accordance with the following list results in a fractional space, any fraction less than one half shall be disregarded and any fraction of one half or more shall require one space. The required number of parking stalls may be reduced if one or more of the following is met:*

**A. Transit Oriented Development.** *The community development director may reduce the required number of parking stalls up to ten percent when it is determined that a commercial business center or multi family project is adjacent to or within one thousand feet of an existing or planned public transit. Also, if a commercial center is within one thousand feet of a multi family project, with over eighty units and pedestrian access, the parking requirements may be reduced by ten percent.*

**Finding: Complies.** The minimum number of spaces required is 958 stalls (1,064 stalls less 10%). Currently, the proposed General Development Plan for the overall site illustrates 1,038 stalls.

The applicant requests a 10% reduction due to the project's proximity to major transit corridors (Beavercreek Road and Molalla Avenue). Bus line #33 maintains a stop along Beavercreek Road adjacent to the property and bus line #32 has a stop just north of the subject property on Molalla Avenue.

The Community Development Director approves the allowed Transit Oriented Development parking reduction pursuant to this Section.

**B. Transportation Demand Management.** *The community development director may reduce the required number of parking stalls up to ten percent when a parking traffic study prepared by a traffic engineer demonstrates:*

- 1. Alternative modes of transportation, including transit, bicycles, and walking, and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development, as compared to standard Institute of Transportation Engineers vehicle trip generation rates and minimum city parking requirements.*
- 2. A Transportation Demand Management (TDM) Program has been developed for approval by the city engineer. The plan will contain strategies for reducing vehicle use and parking demand generated by the development and will be measured annually. If, at the annual assessment, the city determines the plan is not successful, the plan may be revised. If the city determines that no good faith effort has been made to implement the plan, the city may take enforcement actions.*

**Finding: Not applicable.** The applicant has not proposed Transportation Demand Management.

**C. Shared Parking.** *The community development director may reduce the required number of parking stalls up to fifty percent for:*

- 1. Mixed uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly, up to a maximum reduction of fifty percent, as determined by the community development director.*
- 2. Shared parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), that the shared parking facility is within one thousand feet of the potential uses, and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.*

3. Reduction in parking for tree preservation. The community development director may grant an adjustment to any standard of this provided that the adjustment preserves a regulated tree or grove so that the reduction in the amount of required pavement can help preserve existing healthy trees in an undisturbed, natural condition. The amount of reduction can be determined only after taking into consideration any unique site conditions and the impact of the reduction on parking needs for the use, and must be approved by the community development director. This reduction is discretionary and subject to the approval of the community development director.

**Finding: Not applicable.** The applicant has not requested a reduction in parking under this criterion. The applicant's parking analysis is based on two uses as shown in D. below. Required parking for the movie theater is based on the Auditorium/Meeting Room/Stadium ratio in the code, which requires a minimum 0.25 parking spaces per seat. The movie theatre has 1,852 seats, requiring at least 463 parking spaces, or almost 44% of all of the required parking on the site.

D. On Street Parking. On street parking for commercial uses shall conform to the following standards:

1. Dimensions. The following constitutes one on street parking space:

- a. Parallel parking, each twenty two feet of uninterrupted and available curb;
- b. Forty/sixty degree diagonal, each with twelve feet of curb;
- c. Ninety degree (perpendicular) parking, each with twelve feet of curb.

2. Location. Parking may be counted toward the minimum standards in the Parking Requirement Table below when it is on the block face abutting the subject land use. An on street parking space must not obstruct a required clear vision area and its must not violate any law or street standard.

3. Public Use Required for Credit. On street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on street spaces are prohibited.

**Finding: Not applicable.** The applicant has not requested to provide on-street parking under this criterion.

LAND USE	PARKING REQUIREMENTS	
	The parking requirements are based on spaces per 1,000 square feet gross leaseable area unless otherwise stated.	
	MINIMUM	MAXIMUM
Auditorium/Meeting Room/Stadium	.25	0.5 per seat
Retail Store/Shopping Center/Restaurants	4.10	5.00

**Finding:** The applicant provided a detailed response to this standard. In accordance with the table above, the minimum parking requirement for retail/shopping centers/restaurants is 4.1 spaces per 1,000 square feet and the maximum is 5.0 spaces per 1,000 square feet. Parking requirements for auditoriums (e.g. movie theaters) are calculated on a per seat basis. Minimum parking requirements are 0.25 spaces per seat and the maximum is 0.5 spaces per seat.

Use	Square Feet	Min (4.1 spaces / 1,000 GLA)	Max (5.0 spaces / 1,000 GLA)	# Spaces
<b>Existing Buildings</b>				
Building B - Retail Shops	24,472	100	122	
Bugatti's)	4,255	17	21	
Coffee Rush Kiosk	280	1	1	
Pad Retail C	7,200	30	36	
Key Bank	2,761	11	14	
McDonald's	5,320	22	27	
Movie Theater	1,852 seats	463	926	
US Bank (Demolish)	0	0	0	
Grocery (Demolish)	0	0	0	

Proposed Buildings				
Retail @ Grocery	23,236	95	116	
Grocery	56,153	230	281	
Pad Future Retail	10,500*	2	2	
Pad Future Restaurant	7,600	31	38	
Pad Future Retail	15,000	62	75	
<b>TOTAL</b>	<b>178,805</b>	<b>1,064</b>	<b>1,659</b>	<b>1,046</b>

Based on these parking standards, the applicant calculates that a minimum of 1,064 to a maximum of 1,659 spaces are needed to fulfill these uses. The minimum number of spaces required is 958 stalls (1,064 stalls less 10% for transit reduction). The proposed plan identifies a total of 1,038 spaces.

**17.52.020 - Administrative provisions.**

*A. The provision and maintenance of off street parking and loading spaces are continuing obligations of the property owner.*

**Finding: Complies.** The applicant acknowledges that the provision and maintenance of off street parking and loading are the obligations of the owner.

*B. Off street parking for dwellings shall be located on the same lot with the dwelling.*

**Finding: Not applicable.** There are no dwellings associated with the proposed Concept Development or Detailed Development Plan.

*C. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.*

**Finding: Complies.** All off street parking for the proposed General Development Plan and Detailed Development Plan will be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees.

**17.52.030 - Design review.**

*A. Development of or alterations to existing parking lots shall require site plan review.*

**Finding: Complies.** The application includes site plan review for the parking lot.

*B. Access. Ingress and egress locations on public thoroughfares shall be located in the interests of public traffic safety. Groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. No driveway with a slope of greater than fifteen percent shall be permitted without approval of the city engineer.*

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. Access to the proposed development will be provided through seven existing private drives off Warner Milne Road, Molalla Avenue, and Beaver Creek Road. The existing ingress and egress points are not changing, however slight modifications are proposed, including wider sidewalks into the site and improved pedestrian access to the building through connected islands and crosswalks through the parking lot.

According to the City's Transportation Consultant John Replinger (Exhibit 7), the master plan proposes reconstructing the easterly driveway to Beaver Creek Road located about 300 feet west of the Molalla Avenue/Beaver Creek Road intersection. This unsignalized driveway is predicted to operate reasonably well, though it falls within the 95th percentile queue area predicted for eastbound through traffic. The driveway is predicted to have relatively low volumes and will likely



operate acceptably and with reasonable safety during many hours of the average day. Making a left turn from this driveway onto eastbound Beaver Creek Road may be problematic during peak periods, and can be expected to become worse as traffic volumes increase. The operation of the driveway should be monitored over time. The operations and safety of this driveway should be specifically addressed with each subsequent development phase (Phase 2 and Phase 3). It may be in the best interests of the safety to restrict movements at this driveway, such as the prohibition of exiting left turns, or the restriction to right-in, right-out only. Given the driveway's good crash history and the benefit to having additional access points, such restrictions are not deemed to be necessary at this time. The City has the authority to make such changes at any time for safety or operational reasons.

The applicant shall provide review of turn movement and pedestrian facilities associated with the site driveways in conjunction with the Phase 3 site plan application to assure continued safe operations.

**The applicant can assure this standard is met through Condition of Approval 4, 15, and 16.**

*C. Surfacing. Required off street parking spaces and access aisles shall have paved surfaces adequately maintained. The use of pervious asphalt/concrete and alternative designs that reduce storm water runoff and improve water quality pursuant to the city's storm water and low impact development design standards are encouraged.*

**Finding: Complies.** The applicant provided a detailed response to this standard. All off street parking spaces and drive aisles will be paved and adequately maintained.

*D. Drainage. Drainage shall be designed in accordance with the requirements of Chapter 13.12 and the city public works storm water and grading design standards.*

**Finding: Complies.** The applicant provided a detailed response to this standard. All drainage will be designed in accordance with City Public Work storm water and grading design standards.

**E. Dimensional Requirements.**

1. Requirements for parking developed at varying angles are according to the table included in this section. A parking space shall not be less than seven feet in height when within a building or structure, and shall have access by an all weather surface to a street or alley. Parking stalls in compliance with the American[s] with Disabilities Act may vary in size in order to comply with the building division requirements. Up to thirty five percent of the minimum required parking may be compact, while the remaining required parking stalls are designed to standard dimensions. The community development director may approve alternative dimensions for parking stalls in excess of the minimum requirement which comply with the intent of this chapter.

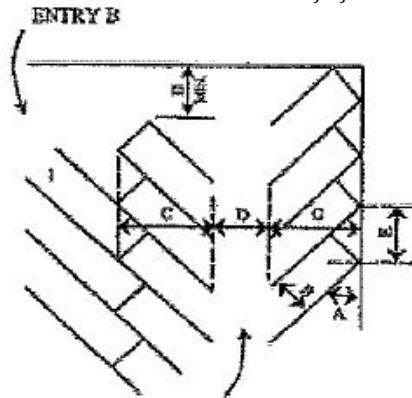
2. Alternative parking/landscaping plan. The city understands the physical constraints imposed upon small parking lots and encourages alternative designs for parking lots of less than ten parking stalls. The community development director may approve an alternative parking lot/landscaping plan with variations to the parking angle or space dimensions and landscaping standards for off street parking. The alternative shall be consistent with the intent of this chapter and shall create a safe space for automobiles and pedestrians while retaining landscaping to the quantity and quality found within parking lot landscaping requirements.

**PARKING STANDARD  
PARKING ANGLE SPACE DIMENSIONS**

A Parking Angle		B Stall Width	C Stall to Curb	D Aisle Width	E Curb Length	F Overhang
0 degrees		8.5	9.0	12	20	0
30 degrees	Standard	9'	17.3'	11'	18'	
	Compact	8'	14.9'	11'	16'	

45 degrees	Standard	8.5	19.8'	13'	12.7'	1.4
	Compact	8.5	17.0'	13'	11.3'	
60 degrees	Standard	9'	21'	18'	10.4'	1.7
	Compact	8'	17.9'	16'	9.2'	
90 degrees	Standard	9'	19.0'	24'	9'	1.5
	Compact	8'	16.0'	22'	8'	

All dimensions are to the nearest tenth of a foot



**Finding: Complies.** The applicant provided a parking plan that meets the dimension standards of this table.

**17.52.040 Carpool and vanpool parking.**

A. New, office and industrial developments with seventy five or more parking spaces, and new hospitals, government offices, nursing and retirement homes, schools and transit park and ride facilities with fifty or more parking spaces, shall identify the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other employee, student or commuter parking spaces with the exception of handicapped parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved Carpool/Vanpool Only."

B. As used in this section, "carpool" means a group of two or more commuters, including the driver, who share the ride to and from work, school and other destination. "Vanpool" means a group of five or more commuters, including the driver, who share the ride to and from work, school or other destination on a regularly scheduled basis.

**Finding: Not Applicable.** This standard does not apply to retail development.

**17.52.050 Bicycle parking purpose applicability.**

To encourage bicycle transportation to help reduce principal reliance on the automobile, and to ensure bicycle safety and security, bicycle parking shall be provided in conjunction with all of the following uses:

B. Retail and office development;



**Finding: Complies.** The applicant provided a detailed response to this standard. The proposed General Development Plan and Detailed Development Plan includes uses within the “retail store/shopping center” classification. In accordance with this section, the proposed General Development Plan and Detailed Development Plan will incorporate bicycle parking into the design.

*F. Automobile parking lots and structures;*

**Finding: Complies.** The applicant provided a detailed response to this standard. The proposed General Development Plan and Detailed Development Plan includes parking lots for automobiles. In accordance with this section, the proposed Detailed Development Plan will incorporate bicycle parking into the design as explained in detail in the chart below at Section 17.52.060.

*G. Restaurants;*

**Finding: Complies.** The proposed General Development Plan and Detailed Development Plan includes uses within the “restaurants” classification. In accordance with this section, the proposed General Development Plan and Detailed Development Plan will incorporate bicycle parking into the design as explained in detail above.

**17.52.060 - Bicycle parking standards.**

*A. Bicycle parking spaces shall be provided for the uses described in Section 17.52.050, in the amounts specified in Table A. For any use not specifically mentioned in Table A, the bicycle parking requirements shall be the same as the use which, as determined by the community development director is most similar to the use not specifically mentioned. Calculation of the number of bicycle parking spaces required shall be determined in the manner established in Section 17.52.010 for determining automobile parking space requirements.*

- 1. Bicycle parking shall be located on site, in one or more convenient, secure and accessible outdoor and indoor locations close to a main building entrance. The city engineer and the community development director may permit the bicycle parking to be provided within the public right-of-way. If sites have more than one building, bicycle parking shall be distributed as appropriate to serve all buildings. If a building has two or more main building entrances, the review authority may require bicycle parking to be distributed to serve all main building entrances, as it deems appropriate.*
- 2. Bicycle parking areas shall be clearly marked. Outdoor bicycle parking areas shall be visible from on site buildings or the street. Indoor bicycle parking areas shall not require stairs to access the space, except that bicycle parking may be allowed on upper stories within multi story residential structures.*

<b>USE</b>	<b>BICYCLE PARKING</b>
<i>Public parking lots</i>	<i>1 per 20 auto spaces</i>
<i>Stadium, arena, theater</i>	<i>1 per 20 auto spaces</i>
<i>Retail stores and shopping centers</i>	<i>1 per 20 auto spaces</i>
<i>Bank, office</i>	<i>1 per 20 auto spaces</i>
<i>Eating and drinking establishment</i>	<i>1 per 20 auto spaces</i>

**Finding: Complies.** Based on these parking standards, 50 to 79 bike spaces are needed to fulfill these requirements for the overall General Development Plan and of those 19–22 are needed in the Detailed Development Plan. Currently, 32 spaces are provided in Phase 1 through the Detailed Development Plan. The additional spaces will provided in future phases. The initial bicycle parking provided in the Detailed Development Plan will be provided as follows:

Use	Bicycle Parking Requirement – Based on Minimum Parking Requirements (1 per 20 auto spaces)	Bicycle Parking Requirement – Based on Maximum Parking Requirements (1 per 20 auto spaces)	Number of Spaces Required for Detailed Development Plan	Number of Spaces Identified in the Detailed Development Plan

Existing Building (Building B -	5	6		
Existing Building (Bugatti)	1	1		
Existing Building (Coffee	0	0		
Existing Building (Pad - Retail)	1	2		
Existing Building (Key Bank)	1	1		
Existing Building (McDonald's)	1	1		
Existing Building (Movie)	23	46		
Existing Building (US Bank)	0	0		
Existing Building (Grocery)	0	0		
Proposed Building (Retail @ Grocery)	5	6	5-6	6
Proposed Building (Grocery)	12	14	12-14	24
Proposed Building (Pad -	0	0		
Proposed Building (Pad - Future Restaurant)	2	2	2-2	2
Proposed Building (Pad -	3	4		
Totals	50	79	19-22	32

*B. All bicycle parking areas shall be located to avoid conflicts with pedestrian and motor vehicle movement.*

*1. Bicycle parking areas shall be separated from motor vehicle parking and maneuvering areas and from arterial streets by a barrier or a minimum of five feet. Areas set aside for required bicycle parking shall be clearly marked and reserved for bicycle parking only. If a bicycle parking area is not plainly visible from the street or main building entrance, then a sign must be posted indicating the location of the bicycle parking area.*

*2. Bicycle parking areas shall not obstruct pedestrian walkways; provided, however, that the review authority may allow bicycle parking in the public sidewalk where this does not conflict with pedestrian accessibility.*

**Finding: Complies.** All bicycle parking areas will be located to avoid conflicts with pedestrian and motor vehicle movement by a barrier of a minimum of five feet and will not obstruct pedestrian walkways. This criterion has been satisfied.

*C. Outdoor bicycle areas shall be connected to main building entrances by pedestrian accessible walks. Outdoor bicycle parking areas also shall have direct access to public right-of-way and to existing and proposed pedestrian/bicycle accessways and pedestrian walkways.*

**Finding: Complies.** All outdoor bicycle parking will be connected to the main building entrances by accessible pedestrian walkways. The proposed development, to the maximum extent possible, recognizes the grades and provides a direct connection to the public right-of-way and to existing pedestrian walkways.

*D. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary rack to which the bicycle can be locked. All bicycle racks and lockers shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue convenience.*

**Finding: Complies.** Bicycle parking facilities will offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary rack to which the bicycle can be locked. All bicycle racks and lockers will be securely anchored to the ground or to a structure. The table above shows the location of all bicycle parking.

**17.52.070 Pedestrian access in off street automobile parking areas.**

*Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and development standards within Section 17.62.050.A.7. of the Oregon City Municipal Code.*

**Finding: Complies with Conditions.** In general, the pedestrian circulation system is adequate. Due to the orientation of the main grocery building proposed, the pedestrian route to access the building entry from the public is not direct. Depending on the point of access from the public street / sidewalk, the approximate distance a pedestrian must walk to access the entry is approximately the following distances:

From western entrance on Beaver Creek Road to closest entry:	300 feet
From eastern entrance on Beaver Creek Road to closest entry:	600 feet
From south entrance on Molalla Avenue to closest entry:	570 feet
From north entrance on Molalla Avenue to closest entry:	340 feet

In comparison, a direct entry to the building from the sidewalk would be 40-60 feet.

The applicant has provided a phasing plan indicating how the site will be improved to provide the required pedestrian and vehicular access (Exhibit 25). The applicant has revised the parking lot to provide two pathways between the parking lot and the main building (Exhibit 26).

To improve pedestrian and vehicular connectivity through the site in compliance with OCMC 17.52.070, OCMC 17.62.050.A.8 and A.9, meet the intent of Oregon City's adopted street standards, and provide a complete urban street design and level of service, the applicant shall construct or extend the proposed NS and EW private streets referred to as "EW" Street running east-west from the McDonalds intersection at Molalla Avenue and the "NS" Street running north-south from the Beaver Creek Road signalized intersection to Warner Milne Road to achieve the following design objectives:

- e. Minimize vehicular backing movements into the main drive aisles;
- f. Separate vehicle and pedestrian access;
- g. Provide complete pedestrian connections on both sides of the drive aisles to the extent practicable; and
- h. Provide trees and landscaping that complies with OCMC 17.52.

The improvements shall be triggered as follows:

- 3. Upon submittal of a site plan and design review application for site improvements pursuant to the approved phasing plan; or
- 4. If redevelopment of a building, tenant improvement or exterior site improvement is proposed sooner than the time frame specified in the applicant's phasing plan with a cumulative value of \$100,000.00 or more (not including those items specifically exempted from this calculation per OCMC 17.58.040.C.2.a.(1)-(4)); the application shall be conditioned to contribute a proportional share of the total cost of the pedestrian, vehicular, parking lot and landscaping improvements required for the identified phase.

**Applicant can assure this standard is met through Condition of Approval 3.**

**17.52.090 Parking lot landscaping.**

*A. Purpose. The purpose of this Code section includes the following:  
1. To enhance and soften the appearance of parking lots;*

2. To limit the visual impact of parking lots from sidewalks, streets and particularly from residential areas;
3. To shade and cool parking areas;
4. To reduce air and water pollution;
5. To reduce storm water impacts and improve water quality; and
6. To establish parking lots that are more inviting to pedestrians and bicyclists.

**B. Development Standards.** Parking lot landscaping is required for all uses, except for single and two family residential dwellings.

In order to provide connectivity between non single family sites, the community development director may approve an interruption in the perimeter parking lot landscaping for a single driveway where the parking lot abuts property designated as multi family, commercial or industrial. Shared driveways and parking aisles that straddle a lot line do not need to meet perimeter landscaping requirements.

**Finding: Complies.** The parking lot vehicular connectivity between the various retail areas within the Master Plan Boundary is adequate as proposed.

**1. Perimeter Parking Lot Landscaping and Parking Lot Entryway/Right-of-way Screening.** Parking lots shall include a five foot wide landscaped buffer where the parking lot abuts the right-of-way and/or adjoining properties. The perimeter parking lot area shall include:

- a. Trees spaced a maximum of thirty five feet apart (minimum of one tree on either side of the entryway is required). When the parking lot is adjacent to a public right-of-way, the parking lot trees shall be offset from the street trees;
- b. Ground cover, such as wild flowers, spaced a maximum of sixteen inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
- c. An evergreen hedge screen of thirty to forty two inches high or shrubs spaced no more than four feet apart on average. The hedge/shrubs shall be parallel to and not nearer than two feet from the right-of-way line. The required screening shall be designed to allow for free access to the site and sidewalk by pedestrians. Visual breaks, no more than five feet in width, shall be provided every thirty feet within evergreen hedges abutting public right-of-ways.

**Finding: Complies.** Perimeter parking lot landscaping within the detailed development plan boundary is at least 5' wide where it abuts adjoining properties. Parking lot Trees will be spaced a maximum of thirty five feet apart. An evergreen hedge of dense yew (*Taxus x media*), where applicable, is indicated on the applicant's landscaping plan parallel to entry roads to screen parking areas. Ground cover will cover one hundred percent of the exposed ground.

**2. Parking Area/Building Buffer.** Parking areas shall be separated from the exterior wall of a structure, exclusive of pedestrian entranceways or loading areas, by one of the following:

- a. Minimum five foot wide landscaped planter strip (excluding areas for pedestrian connection) abutting either side of a parking lot sidewalk with:
  - i. Trees spaced a maximum of thirty five feet apart;
  - ii. Ground cover such as wild flowers, spaced a maximum of sixteen inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
  - iii. An evergreen hedge of thirty to forty two inches or shrubs placed no more than four feet apart on average; or
- b. Seven foot sidewalks with shade trees spaced a maximum of thirty five feet apart in three foot by five foot tree wells.

**Finding: Complies.** Parking areas will be separated from the exterior wall of a structure with trees. Shade trees will be spaced a maximum of thirty five feet apart in three foot by five foot tree wells.

**3. Interior Parking Lot Landscaping.** Surface parking lots shall have a minimum ten percent of the interior of the gross area of the parking lot devoted to landscaping to improve the water quality, reduce stormwater runoff, and provide pavement shade. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum total site landscaping required by Section 17.62.050A.1. Pedestrian walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. Interior parking lot landscaping shall include:

- a. A minimum of one tree per six parking spaces.
- b. Ground cover, such as wild flowers, spaced a maximum of sixteen inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.
- c. Shrubs spaced no more than four feet apart on average.
- d. No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them. Landscape strips provided between rows of parking shall be a minimum of six feet in width to accommodate:
  - i. Pedestrian walkways shall have shade trees spaced a maximum of every thirty five feet in a minimum three foot by five foot tree wells; or
  - ii. Trees spaced every thirty five feet, shrubs spaced no more than four feet apart on average, and ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.

**Finding: Complies with Conditions.** The applicant has provided a revised parking lot plan indicating compliance with this section (Exhibit 26). The applicant shall provide a revised landscaping plan for review and approval by the Community Development Director that incorporate the most recent revisions. **Applicant can assure this standard is met through Condition of Approval 19.**

**4. Alternative parking/landscaping plan.** *The city understands the physical constraints imposed upon small parking lots and encourages alternative designs for parking lots of less than ten parking stalls. The community development director may approve an alternative parking lot/landscaping plan with variations to the parking dimensions and landscaping standards for off street parking. The alternative shall be consistent with the intent of this chapter and shall create a safe space for automobiles and pedestrians while retaining landscaping to the quantity and quality found within parking lot landscaping requirements. The landscaping plan shall be prepared by a licensed landscape architect.*

**Finding: Not applicable.** The applicant has not requested approval of an alternative parking/landscaping plan.

*5. The landscaping shall be located in defined landscaped areas that are uniformly distributed throughout the parking or loading area.*

**Finding: Complies with Conditions.** Landscaping proposed is uniformly distributed throughout the parking lot. The applicant has provided a revised parking lot plan. The applicant shall provide a revised landscaping plan for review and approval by the Community Development Director that incorporate the most recent revisions. **Applicant can assure this standard is met through Condition of Approval 19.**

*6. Parking lot trees shall be a mix of deciduous shade trees and coniferous trees. The trees shall be evenly distributed throughout the parking lot as both interior and perimeter landscaping to provide shade.*

**Finding: Complies.** The detailed development plan includes a mix of deciduous and coniferous trees as both interior and perimeter parking lot landscaping. The applicant has provided a revised parking lot plan indicating compliance with this section (Exhibit 26). The applicant shall provide a revised landscaping plan for review and approval by the Community Development Director that incorporate the most recent revisions. **Applicant can assure this standard is met through Condition of Approval 19.**

*7. All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.*

**Finding: Complies.** Landscaping is provided for all areas not used for parking, maneuvering or circulation.

*8. The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of Chapter 10.32, Traffic Sight Obstructions.*

**Finding: Complies with Conditions.** The City's transportation consultant has reviewed the application and determined that there are some traffic sight obstructions due to vegetation that

can be pruned to comply with Chapter 10.32. **The applicant can assure this standard is met through Condition of Approval 5.**

9. *Landscaped areas shall include irrigation systems.*

**Finding: Complies.** All landscaped areas will include irrigation systems.

10. *All plant materials, including trees, shrubbery and ground cover should be selected for their appropriateness to the site, drought tolerance, year round greenery and coverage and staggered flowering periods. Species found on the Oregon City Native Plant List are strongly encouraged and species found on the Oregon City Nuisance Plant List are prohibited.*

**Finding: Complies.** The landscaping plan was prepared by Chris Freshley, an Oregon registered landscape architect. Plant materials have been selected appropriately for the private commercial site, and include plants listed on the Oregon City Native Plant List, and species that will provide the required year round greenery and staggered flowering periods.

Staff recommends that the Planning Commission encourage the applicant to use appropriate edible plants where appropriate on the site. The Oregon City Municipal Code identifies the requirements for landscaping; see standard 10 above, which does not include a requirement to use edible plants. If the Commission determines that edible plants should be required on the site, additional findings justifying the requirement will be required.

11. *Landscaping shall incorporate design standards in accordance with Chapter 13.12, Stormwater Management.*

**Finding: Complies.** To the extent required the proposed landscaping complies with this section. The landscaping within the water resource area is selected from the Oregon City Native Plant list.

12. *Required landscaping trees shall be of a minimum two inch minimum caliper size, planted according to American Nurseryman Standards, and selected from the Oregon City Street Tree List;*

**Finding: Complies.** All trees proposed on the landscaping plan are at least 2" in caliper size.

C. *Installation.*

1. *All landscaping shall be installed according to accepted planting procedures, according to American Nurseryman Standards.*

2. *The site, soils and proposed irrigation systems shall be appropriate for the healthy and long term maintenance of the proposed plant species.*

3. *Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the city, such as the posting of a surety.*

D. *Maintenance.*

1. *The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris.*

2. *All plant growth in interior landscaped areas shall be controlled by pruning, trimming, or otherwise so that:*

a. *It will not interfere with the maintenance or repair of any public utility;*

b. *It will not restrict pedestrian or vehicular access; and*

c. *It will not constitute a traffic hazard due to reduced visibility.*

**Finding: Complies.** The applicant understands the installation and maintenance obligations of this section and has provided clear instructions on the proposed plans for proper landscaping installation and maintenance.

## **17.62. SITE PLAN AND DESIGN REVIEW**

### **17.62.010 Purpose.**

*The purposes of site plan and design review are to: encourage site planning in advance of construction; protect lives and property from potential adverse impacts of development; consider natural or man made hazards which may impose limitations on development; conserve the city's natural beauty and visual character and minimize adverse impacts of development on the natural environment as much as is reasonably practicable; assure that development is supported with necessary public facilities and services; ensure that structures and other improvements are properly related to their sites*



and to surrounding sites and structure; and implement the city's comprehensive plan and land use regulations with respect to development standards and policies.

**Finding: Complies.** The applicant acknowledges the purpose of the site plan and design review process. The proposed development plan will comply with established procedures and standards of this section.

**17.62.015 Modifications that will better meet design review requirements.**

*The review body may consider modification of site related development standards. These modifications are done as part of design review and are not required to go through the variance process pursuant to Section 17.62.020. Adjustments to use related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the variance process pursuant to Section 17.62.020. Modifications that are denied through design review may be requested as variance through the variance process pursuant to Section 17.62.020. The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:*

*A. The modification will result in a development that better meets design guidelines; and*

*B. The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

**Finding: Not applicable.** The applicant is seeking adjustments through the Master Plan adjustment process pursuant to 17.65.070 rather than modifications through this section.

**17.62.020 - Pre application 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.*

**Finding: Complies.** A pre-application conference was held with Oregon City staff on February 23, 2010 (Exhibit 8). At this time, City staff indicated the procedures and review criteria that would apply to the applicant. Staff also provided detailed notes regarding which approval criteria were not met and which the applicant would need to request adjustments from through the Master Plan process.

**17.62.050 - Standards.**

*A. All development shall comply with the following standards:*

**1. Landscaping.** *A minimum of fifteen percent of the lot area being developed shall be landscaped. Natural landscaping comprised of native species shall be retained to meet the landscaping requirement. All invasive species, such as Himalayan Blackberry and English Ivy shall be removed on site prior to building final. 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. 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. 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. For properties within the downtown design district, and for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the fifteen percent requirement. Landscaping also shall be visible from public thoroughfares to the extent practicable. Interior shall not be counted toward the fifteen percent minimum.*

**Finding: Complies with Conditions.** A minimum of 15% of the proposed General Development Plan and Detailed Development Plan will be landscaping. In accordance with this section of the code, the applicant proposes a total of 16.8% of the Detailed Development Plan will be landscaping.

Staff recommends that the Planning Commission encourage the applicant to use appropriate edible plants where appropriate on the site. The Oregon City Municipal Code identifies the requirements



for landscaping, see criteria 1 above, which does not include a requirement to use edible plants. If the Commission determines that edible plants should be required on the site, additional findings justifying the requirement will be required.

The applicant has provided a revised parking lot plan indicating compliance with the interior parking lot landscaping standards and pedestrian and vehicular access requirements (Exhibit 26). The applicant shall provide a revised landscaping plan for review and approval by the Community Development Director that incorporate the most recent revisions. **Applicant can assure this standard is met through Condition of Approval 19.**

**2. Vehicular Access and Connectivity.**

*a. Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.*

**Finding: The applicant has requested an adjustment to this standard pursuant to section 17.65.070.** The applicant provided a detailed explanation regarding the request. The applicant proposes parking both behind and on both sides of the buildings, as well as in front of the building (on the Beaver Creek Road frontage). Please see findings in section 17.65.070.

*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 decision maker. The corners of alley intersections shall have a radius of not less than ten feet.*

**Finding: Complies.** Alleys are not required in the C-General Commercial zone. Adequate access for emergency vehicles is proposed.

*d. 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.*

**Finding: Complies.** The access points on all corners are away from the street intersection.

*e. Sites abutting an alley shall be required to gain vehicular access from the alley.*

**Finding: Not applicable.** No alleys are proposed.

*f. Where no alley access is available, the development shall be configured to allow only one driveway per frontage. Shared driveways shall be required as needed to accomplish the requirements of this section. The driveway shall be located to one side of the lot and away from the center of the site. 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.*

**Finding: Complies.** The existing access locations were approved as part of the original site plan for the Hilltop Mall. The two access points from Beaver Creek Road will be modified slightly.

*g. Development of large sites (more than two acres) shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable.*

**Finding: Complies.** Adequate vehicular connections to adjacent sites have been provided given the existing conditions of the site.

*h. Parking garage entries (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.*

*i. 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: Not applicable.** No parking garages or structures are proposed.

*3. Building structures shall be complimentary to the surrounding area. All exterior surfaces shall present a finished appearance. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear façades or decking shall be prohibited.*

**Finding: Complies with Conditions.** The applicant provided a Materials Board (Exhibit 14) and Color Elevations (Exhibit 4) and detailed responses to this section. As proposed, the north elevation of the structure is the primary building façade. The in-line retail shops facing Beavercreek Road and Molalla Avenue continue the similar of materials and color.

Additionally, all elevations must provide roof treatments and forms that comply with section 17.62.055(J). See findings for these sections below. **Applicant can meet this standard through Condition of Approval 10.**

*4. Grading shall be in accordance with the requirements of Chapter 15.48 and the public works stormwater and grading design standards.*

**Finding: Complies.** In accordance with this section, a preliminary erosion/sedimentation control plan illustrating location of drainage patterns and drainage courses on and within one hundred feet of the project boundary.

*5. Development subject to the requirements of the Geologic Hazard overlay district shall comply with the requirements of that district.*

**Finding: Not applicable.** There site is not within the Geologic Hazard overlay district.

*6. Drainage shall be provided in accordance with city's drainage master plan, Chapter 13.12, and the public works stormwater and grading design standards.*

**Finding: Complies with Conditions.** The Applicant states that drainage has been designed in accordance with the City's Drainage Master Plan, Chapter 13.12 and the public works storm water and grading standards. Refer to Section 3 Site Drawings, Sheet C8.0 – Preliminary Composite Utility Plan for additional information.

The Applicant shall design the site per the City's Drainage Master Plan, Chapter 13.12 and the Public Works Stormwater and Grading Design Standards for conveyance, water quantity, and water quality. Per OCMC 13.12.050 B. 3, the Applicant is disturbing over 5,000 SF of impervious surface and it requires stormwater quantity control (detention). Per OCMC 13.12.050 C. 1. c, creating over 8,000 SF of new impervious surface requires stormwater quality control, so the Applicant shall confirm how much new impervious surface is being created, keeping in mind that this is cumulative over seven years. Private stormwater facilities require the Applicant to provide the City with the prescribed Maintenance Covenant And Access Easement document.

**The Applicant can meet this criterion by complying with Conditions of Approval 6-8.**

*7. Parking, including carpool, vanpool and bicycle parking, shall comply with city off street parking standards, Chapter 17.52.*

**Finding:** Findings regarding compliance with Chapter 17.52 are provided earlier in this report.

*8. Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and street design standards. Upon application, the community development director may waive this requirement in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made.*

**Finding: Complies with Conditions.** The applicant's has proposed a private internal street and drive aisle system for the site, stating that the proposed circulation system has been designed to meet or exceed the intent of the City's Transportation Plan and Street Design Standards.

The applicant requests that the community development director allow for an alternative private street for the site that allows grocery shoppers with loaded carts to leave the store and take carts directly across the vehicular drive to the parking aisles and their vehicles.

The main east-west and the westernmost north-south roads through the site will provide the primary means of connection for vehicles and as such the following modifications should be made to those two drives.

EW Street is being proposed across the north side of the grocery building and NS Street will run between Beavercreek Road toward Warner Milne Road along the west side of the store. Both of these drives will be upgraded to serve as private streets. The design of the internal private street grid adheres to general street design requirements and naturally flows from the adjacent streets and existing intersections/driveway approaches. The proposed private streets have been aligned to intersect with the adjacent public streets at existing intersections of Molalla Avenue and Beavercreek Road. These connections will provide for adequate traffic circulation both to and through the site. Additionally, the pedestrian/bicycle connection has been expanded to improve circulation and connectivity throughout the site, as well as with the adjacent City system.

The applicant has submitted a phasing plan (Exhibit 25), indicating how the development of the site is anticipated to proceed over the next 20 years. In accordance with the applicant's phasing plan, the Applicant shall improve the vehicular and pedestrian connectivity of the private streets referred to as "EW" Street running east-west from the McDonalds intersection at Molalla Avenue and the "NS" Street running north-south from the Beavercreek Road signalized intersection to Warner Milne Road.

In accordance with OCMC 17.62.050.A.7-8, and to meet the intent of Oregon City's adopted street standards, the applicant shall construct or extend the proposed NS and EW streets to enhance pedestrian and vehicle connectivity through the site. These private drives shall be designed consistent with the intent of Oregon City street design standards. The drive aisles shall achieve the following objectives:

- Minimize vehicular backing movements into the main drive aisles;
- Separate vehicle and pedestrian access;
- Provide complete pedestrian connections on both sides of the drive aisles to the extent practicable; and
- Provide street trees.

The private drive sections shall be extended through the site when future phases of the property develop.

**The Applicant can meet this criterion by complying with Conditions of Approval 3-4.**

9. A well marked, continuous and protected on site pedestrian circulation system meeting the following standards shall be provided:

a. Pathways between all building entrances and the street are required. Pathways between the street and buildings fronting on the street shall be direct. Exceptions may be allowed by the director where steep slopes or protected natural resources prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.

b. The pedestrian circulation system shall connect all main entrances on the site. For buildings fronting on the street, the sidewalk may be used to meet this standard. Pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required.

c. Elevated external stairways or walkways that provide pedestrian access to multiple dwelling units located above the ground floor of any building are prohibited. The community development director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard.

d. The pedestrian circulation system shall connect the main entrances of adjacent buildings on the same site.

e. The pedestrian circulation system shall connect the principal building entrance to those of buildings on adjacent commercial and residential sites where practicable. Walkway linkages to adjacent developments shall not be required within industrial developments or to industrial developments or to vacant industrially zoned land.

f. On site pedestrian walkways shall be hard surfaced, well drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be a minimum of seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the walkway shall be raised or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel. Pedestrian walkways that cross drive isles or other vehicular circulation areas shall utilize a change in textual material or height to alert the driver of the pedestrian crossing area.

**Finding: Complies with Conditions.** In general, the pedestrian circulation system is adequate. Due to the orientation of the main grocery building proposed, the pedestrian route to access the building entry from the public is not direct. Depending on the point of access from the public street / sidewalk, the approximate distance a pedestrian must walk to access the entry is approximately the following distances:

From western entrance on Beavercreek Road to closest entry:	300 feet
From eastern entrance on Beavercreek Road to closest entry:	600 feet
From south entrance on Molalla Avenue to closest entry:	570 feet
From north entrance on Molalla Avenue to closest entry:	340 feet

In comparison, a direct entry to the building from the sidewalk would be 40-60 feet.

The applicant has revised the parking lot to provide two pathways between the parking lot and the main building (Exhibit 26). The applicant's phasing plan (Exhibit 25), assure that the necessary pedestrian connectivity will be provided as each subsequent phase of development occurs.

**Applicant can assure this standard is met through Condition of Approval 3.**

10. There shall be provided adequate means to ensure continued maintenance and necessary normal replacement of private common facilities and areas, drainage ditches, streets and other ways, structures, recreational facilities, landscaping, fill and excavation areas, screening and fencing, groundcover, garbage storage areas and other facilities not subject to periodic maintenance by the city or other public agency.

**Finding: Complies.** The applicant understands that maintenance for the items noted in this section will be the responsibility of the owner and will be accounted for in the yearly maintenance budget.

11. Site planning shall conform to the requirements of Oregon City Municipal Code Chapter 17.41—Tree Protection.

**Finding:** Compliance with Chapter 17.41 is detailed earlier in this staff report.

12. Development shall be planned, designed, constructed and maintained to protect water resources and habitat conservation areas in accordance with the requirements of the city's Natural Resources Overlay District, Chapter 17.49, as applicable.

**Finding:** See Section 17.49. The proposed development recognizes the presence of an existing storm water drainage channel and NROD along Beavercreek Road near the southern boundary of the site. Findings for compliance with OCMC 17.49 are provided earlier in this report.

13. All development shall maintain continuous compliance with applicable federal, state, and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference. Prior to issuance of a building permit, the community development director or building official may require submission of evidence demonstrating compliance with such standards and receipt of necessary permits. The review authority may regulate the hours of construction or operation to minimize adverse impacts on adjoining residences, businesses or neighborhoods. The emission of odorous gases or other matter in such quantity as to be readily detectable at any point beyond the property line of the use creating the odors or matter is prohibited.

**Finding: Complies.** The applicant understands that proposed development will maintain continuous compliance with applicable federal, state and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference.

14. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing off site systems if necessary to provide adequate public facilities. The city may require over sizing of facilities where necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the city for over sizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.

**Finding: Complies.** There is adequate public water and sanitary sewer facilities sufficient to serve the proposed development. The Applicant has been coordinating with the City's Engineering Division to identify specific utility requirements. The applicant plans to relocate a sanitary main to accommodate the new building(s) and has coordinated this with Public Works. Part of this sanitary main relocation will also upsize the main per the adopted Sanitary Master Plan.

15. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation.

**Finding: Complies with Conditions.** See findings under 17.62.050.A.8 above. **Applicant can assure this standard is met through Conditions of approval 3-4.**

16. If Tri Met, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, bus landing pad or transit stop connection be constructed at the time of development, the review authority shall require such improvement, using designs supportive of transit use.

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. The Detailed Development Plan has been submitted to Tri Met for review. Based on preliminary

indications, improvements to the Tri Met facilities are likely to include expanding the width of the paved area near the bus stop areas to eliminate the shelter encroachment on the existing sidewalk. **Applicant can assure this standard is met through Condition of Approval 20.**

*17. All utility lines shall be placed underground.*

**Finding: Complies.** All utility lines will be placed underground within the proposed development.

*18. Access and facilities for physically handicapped people shall be incorporated into the site and building design consistent with applicable federal and state requirements, with particular attention to providing continuous, uninterrupted access routes.*

**Finding: Complies.** The proposed plan provides a total of 32 ADA accessible parking spaces and the pedestrian system will be designed to comply with this section. Compliance with the Americans with Disabilities Act (ADA) is regulated by the Oregon Structural Specialty Code and is further reviewed by the Oregon City Building Division at the time a building permit is applied for.

*19. For a residential development, site layout shall achieve at least eighty percent of the maximum density of the base zone for the net developable area. Net developable area excludes all areas for required right-of-way dedication, land protected from development through Natural Resource or Geologic Hazards protection, and required open space or park dedication.*

**Finding: Not applicable.** The proposed development does not include any residential dwellings.

*20. Screening of Mechanical Equipment:*

*This standard requires screening of all visible roof, wall and ground mounted mechanical equipment.*

**Finding: Complies.** The applicant provided a detailed response to this standard. All mechanical units for the grocery and in line retail shop buildings will be adequately screened.

*21. Building Materials.*

*a. Preferred building materials. Building exteriors shall be constructed from high quality, durable materials. Preferred exterior building materials that reflect the city's desired traditional character are as follows:*

*[1.] Brick.*

*[2.] Basalt stone or basalt veneer*

*[3.] Narrow horizontal wood or composite siding (generally five inches wide or less); wider siding will be considered where there is a historic precedent.*

*[4.] Board and baton siding.*

*[5.] Other materials subject to approval by the community development director.*

*[6.] Plywood with battens or fiber/composite panels with concealed fasteners and contiguous aluminum sections at each joint that are either horizontally or vertically aligned.*

*[7.] Stucco shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.*

**Finding: Complies.** The building design for the in line retail shops proposes high quality durable materials that reflect a traditional building character. The ends of the east and south elevations will be constructed from brick wall masses to anchor the building against the grocery building mass. The selected materials are compatible with the grocery building and other existing surrounding buildings. The in line retail will also use highly transparent glass storefronts in aluminum frames, steel canopies, metal cornices and stucco.

On the Grocery building, brick is used as a base wainscot material above the concrete curb base which protects the walls from cart damage. See block standards below for Block description. 'Ledgestone' is used as a pier and column wrap which highlights the entry canopies. A welded wire grill painted black and mounted approximately 4" inches from the wall is located in strategic and



visually rhythmic locations. The grills are mounted above perimeter planters that allow climbing plants to grow up through them to create a valuable landscape and visual break in the massing.

**b. Prohibited materials.** *The following materials shall be prohibited in visible locations unless an exception is granted by the community development director based on the integration of the material into the overall design of the structure.*

1. Vinyl or plywood siding (including T 111 or similar plywood).
2. Glass block or highly tinted, reflected, translucent or mirrored glass (except stained glass) as more than ten percent of the building façade.
3. Corrugated fiberglass.
4. Chain link fencing (except for temporary purposes such as a construction site or as a gate for a refuse enclosure).
5. Crushed colored rock/crushed tumbled glass.
6. Non corrugated and highly reflective sheet metal.

**Finding: Complies.** The design does not propose any of the above materials.

**c. Special material standards:** *The following materials are allowed if they comply with the requirements found below:*

1. Concrete block. When used for the front façade of any building, concrete blocks shall be split, rock or ground faced and shall not be the prominent material of the elevation. Plain concrete block or plain concrete may be used as foundation material if the foundation material is not revealed more than three feet above the finished grade level adjacent to the foundation wall.

**Finding: Complies.** The proposed grocery structure utilizes two colors of split face block in association with a modular brick base, furred EIFS wall articulation and decorative wall grilles on the ‘exposed’ building elevations. The larger, non articulated grocery building elevations are enveloped by the pedestrian scaled, modular brick, stucco and glazed storefront massing of the in line retail shops that abut the east and south elevations.

2. **Metal siding.** *Metal siding shall have visible corner moldings and trim and incorporate masonry or other similar durable/permanent material near the ground level (first two feet above ground level).*

**Finding: Not applicable.** Metal siding is not proposed in the Detailed Development Plan.

3. **Exterior Insulation and Finish System (EIFS)** *and similar troweled finishes shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.*

**Finding: Complies.** In accordance with this section of the City’s code, EIFS and similar troweled finishes are to be trimmed and sheltered from extreme weather. Exterior finishes for each building are described below:

In Line Retail: Termination details for the proposed stucco wall finished into the brick wall masses will be treated with a clean water resistant sealant joint.

Grocery: EIFS is used as a complementary smoother building material to act as a third field color with the textured block. The EIFS is shown as “Bungalow Taupe” color which matches one of the block colors. Please see the cornice detail dimensioned on the Elevations illustrating the profile and overhangs which protect the top edge of the EIFS installation and shelters the finish from extreme weather.

4. *Building surfaces shall be maintained in a clean condition and painted surfaces shall be maintained to prevent or repair peeling, blistered or cracking paint.*

**Finding: Complies.** The building surfaces will be maintained in a clean condition and painted surfaces will be maintained to prevent or repair peeling, blistered or cracking paint.

22. *Conditions of Approval. The review authority may impose such conditions as it deems necessary to ensure compliance with these standards and other applicable review criteria, including standards set out in city overlay districts, the city’s master plans, and city public works design standards. Such conditions shall apply as described in Sections 17.50.[2]10, 17.50.[2]20 and 17.50.[2]30. The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this*



chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the city attorney.

**Finding:** The Planning Commission is the review authority. Staff has prepared recommended Conditions of Approval that the Commission may apply, modify or add additional conditions to in order to ensure that the application satisfies the applicable criteria.

**17.62.055 INSTITUTIONAL AND COMMERCIAL BUILDING STANDARDS.**

**A. Purpose.** *The primary objective of the regulations contained in this section is to provide a range of design choices that promote creative, functional, and cohesive development that is compatible with surrounding areas. Buildings approved through this process are intended to serve multiple tenants over the life of the building, and are not intended for a one time occupant. The standards encourage people to spend time in the area, which also provides safety through informal surveillance. Finally, this section is intended to promote the design of an urban environment that is built to human scale by creating buildings and streets that are attractive to pedestrians, create a sense of enclosure, provide activity and interest at the intersection of the public and private spaces, while also accommodating vehicular movement.*

**Finding:** The applicant provided a detailed response to this standard.

**The applicant's adjustment requests must meet the intent of this code section in order to be approved by the Planning Commission.**

The intent of this code is to promote urban design for new commercial buildings. The design of new, large, commercial buildings is critical to the overall urban form that Oregon City is trying to achieve now and in the future through its various design review codes. Such buildings set the stage for how subsequent development is designed, and to a large degree, how these buildings interact with the public realm determines the quality and form of development for a very long time, not just the life of any one particular tenant.

The applicant states that the proposed design "promotes the notion of an urban street environment". To clarify, the intent of this section is to promote an urban environment that is built to human scale by creating buildings that are attractive to pedestrians, not merely the notion of one. As stated by the applicant, "the grocery building is built to accommodate Safeway's current services and products. Many Safeway buildings have been occupied by Safeway for over 50 years."

As stated in the intent statement of this section "Buildings approved through this process are intended to serve multiple tenants over the life of the building, and are not intended for a one time occupant."

**Finding: Complies with Conditions.** Applicant has requested an adjustment from the requirement for direct access oriented to the grocery store from the public street. The applicant has proposed two public amenity spaces on Beaver Creek Road, and designed an attractive private driveway system on the inside of the development. The applicant proposes these features as mitigation for the requested adjustments. Minor changes to the proposed mitigation would be sufficient to support the requested adjustments. Staff provides detailed findings below in OCMC 17.65.070.

**B. Applicability.** *In addition to Section 17.62.050 requirements, institutional and commercial buildings shall comply with design standards contained in this section.*

**Finding:** In addition to the requirements of Section 17.62.050, commercial buildings are to comply with the standards of this section.

**C. Relationship between zoning district design standards and requirements of this section.**

*1. Building design shall contribute to the uniqueness of the underlying zoning district by applying appropriate materials, elements, features, color range and activity areas tailored specifically to the site and its context.*

**Finding:** The site is zoned C – General Commercial. The applicant has provided details of all material, elements, features, colors and activity areas.

*2. A standardized prototype or franchise design shall be modified if necessary to meet the provisions of this section.*

**Finding: Complies with Conditions.** The applicant has proposed a standardized prototype franchise design for the main grocery building, with several exterior modifications to the site that the applicant claims better fit the site context and address specific Oregon City code requirements.

The modifications include the addition of in-line retail stores facing Beaver Creek Road, the pedestrian connections into the site, and the addition of two pedestrian plaza areas abutting Beaver Creek Road.

Staff recommends that additional mitigation be required to off-set the required adjustments to meet the intent of this section.

The applicant shall revise the southeast Beaver Creek Road Plaza to include a minimum of 4 elements from the list in OCMC 17.62.055.D.1.(a-i). This may include the addition of sculpture and public art or other features that activate the plaza and make it a useable pedestrian amenity area, or other elements as approved by the Planning Commission.

**Applicant can assure this standard is met through Condition of Approval 9 and 10.**

*3. In the case of a multiple building development, each individual building shall include predominant characteristics, architectural vocabulary and massing shared by all buildings in the development so that the development forms a cohesive place within the underlying zoning district or community.*

**Finding: Not applicable.** This standard applies to multiple buildings. Staff finds that the retail and grocery building components, though separate structurally, are so close together as to appear as one building for the purposes of development review. Therefore, this standard is not applicable.

*4. With the exception of standards for building orientation and building front setbacks, in the event of a conflict between a design standard in this section and a standard or requirement contained in the underlying zoning district, the standard in the zoning district shall prevail.*

**Finding:** The applicant understands that in the event of a conflict between a design standard in this section and a standard or requirement contained in the underlying zoning district, the standard in the zoning district will prevail.

*5. On sites with one hundred feet or more of frontage at least sixty percent of the site frontage width shall be occupied by buildings placed within five feet of the property line, unless a greater setback is accepted under the provisions of 17.62.055D. For sites with less than one hundred feet of street frontage, at least fifty percent of the site frontage width shall be occupied*

by buildings placed within five feet of the property line unless a greater setback is accepted under the provisions of 17.62.055D.

**Finding: The applicant requests an adjustment to this criterion pursuant to the Master Plan Adjustment Criteria in Section 17.65.070 below, and an expanded setback pursuant to 17.62.055.D**, due to the presence of an existing storm water maintenance easement and inventoried wetland along Beaver Creek Road.

The applicant has proposed to locate the southwest corner of the building within 5 feet of the easement line, and has proposed a plaza area in the area between the building and the sidewalk, as well as another pedestrian plaza adjacent to bus station at the easterly entrance from Beaver Creek Road. The remaining approximately 300 feet of frontage behind the easement line are proposed to be parking and landscaping in front of the in-line retail stores.

The intent of the pedestrian amenity areas is to “activate” the area between the building and the sidewalk and provide a lively and interesting place for the public to linger and interact with the street. Staff has recommended Conditions of Approval to ensure that the design of the setback area adequately enhances the pedestrian amenities.

Adequacy of the pedestrian amenity areas is reviewed in further detail below under section 17.62.055.D.

**D. Relationship of Buildings to Streets and Parking.**

1. Buildings shall be placed no farther than five feet from the front property line. A larger front yard setback may be approved through site plan and design review if the setback area incorporates at least one element from the following list for every five feet of increased setback requested:

- a. Tables, benches or other approved seating area.
- b. Cobbled, patterned or paved stone or enhanced concrete.
- c. Pedestrian scale lighting.
- d. Sculpture/public art.
- e. Fountains/Water feature.
- f. At least twenty square feet of landscaping or planter boxes for each tenant façade fronting on the activity area.
- g. Outdoor café.
- h. Enhanced landscaping additional landscaping.
- i. Other elements, as approved by the community development director, that can meet the intent of this section.

**Finding: The applicant requests an adjustment to this criterion pursuant to the Master Plan Adjustment Criteria in Section 17.65.070 below, and an expanded setback pursuant to 17.62.055.D.** This standard applies to the Beaver Creek Road frontage only. The proposed building setback along Beaver Creek Road varies from 40’ at the southwest corner to 210’ at the southeast corner of the building. Adequacy of the pedestrian amenity areas is reviewed in detail pursuant to this section. At a minimum therefore, each setback area should include a minimum of eight elements from the following list (40÷5=8).

The following features are provided in the two pedestrian amenity areas along Beaver Creek Road.

<b>Southwest Plaza - 40’ setback</b>	<b>Southeast Plaza – 210’ setback</b>
1. 3’ round café tables for an outdoor café	1. Benches (2)
2. Enhanced landscaping	2. Decomposed Granite Walkway
3. 293 square feet of landscaping on the in-line retail shops.	3. Landscaping

4. Sidewalk tree wells	4. Trees (along parking lot perimeter and street trees as required per separate sections of code)
5. planter wells and boxes	5. ?
6. Pedestrian scale lighting	6. ?
7. Textured concrete and walkways	7. ?
8. Benches	8. ?

The southwest plaza provides an adequate number of amenities, however the southeast plaza is deficient in the number of required elements required to provide a truly active pedestrian area.

In contrast, the pedestrian plaza on the north side of the building includes a multitude of features not provided in the Beavercreek Road plazas, such as pergolas, bike racks, trash bins, numerous benches, wind screen walls, ash urns, and planters.

**Staff Recommendation:** Additional features or modifications are necessary to meet the intent of this section in this location. The applicant shall revise the southeast Beavercreek Road Plaza to include a minimum of 4 elements from the list in OCMC 17.62.055.D.1.(a-i). **Applicant can assure this standard is met through Condition of Approval 9.**

*2. The front façade shall be oriented toward the street and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.*

**Finding: The applicant requests an adjustment to this criterion pursuant to the Master Plan Adjustment Criteria in Section 17.65.070 below.** The applicant proposes the main front facades facing the internal private street. However, the front facades of the in-line retail stores face Beavercreek Road and Molalla Ave. Applicant states that the new development has multiple active sides and only one frontage, and that therefore it is necessary for some of the multiple frontages to face the internal private street.

*3. Entryways. The primary entranceway for each commercial or retail establishment shall face the major street. The entrance may be recessed behind the property line a maximum of five feet unless a larger setback is approved pursuant to Section 17.62.055.D.1 and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined, highly visible and recessed or framed by a sheltering element including at least four of the following elements, listed below:*

**Finding: The applicant requests an adjustment to this criterion pursuant to the Master Plan Adjustment Criteria in Section 17.65.070 below.** This standard requires that the primary entranceway for each retail establishment face the major street, Beavercreek Road.

The applicant states that “the private street acts to break up the large site and provide multiple pedestrian oriented active urban streetscapes. The building entrances detailed in the proposed Detail Development Plan are clearly defined, highly visible and recessed or framed by no fewer than ten (10) of the elements outlined in this section. Each building entrance contributes to the active nature of the site and when taken as a whole relate directly to the surrounding transit streets.

**In Line Retail:** In line shop storefronts face the Molalla Avenue and Beavercreek Road Street frontages. Shop entries are accessed from multiple ADA accessible paths from the public way via generous concrete sidewalks. Shop entries are highly visible, defined with large expanses of transparent glass display windows and steel canopy sheltering elements. The plan provides for

appropriately scaled plaza spaces adjacent to each of the in line shop building brick masses. Each pedestrian plaza provides integral low sitting walls and the opportunity for tenants to use the spaces for outdoor seating/patios. The in line retail building(s) incorporate seven (7) of the elements outlined in this section, which allow an active entranceway feature throughout the in line retail buildings..

Grocery: The Safeway entranceways are set backed under a solid gable canopy pavilion acting as the shelter element. Two primary customer doors open out to the plaza, which become a public walkway. The grocery building incorporates nine (9) of the elements outlined below in this section, which are intended to create architectural significance along the entryway to the Safeway store.”

Staff finds that with the exception of a main entrance to the grocery store, this standard is met. The adjustment criteria of 17.65.070 are addressed below.

*a. Canopies or porticos;*

**Finding: Complies.** The entryway provided to each retail establishment at both the grocery site and the in line retail shops incorporates either a projecting steel canopy or structured portico.

*b. Overhangs;*

**Finding: Complies.** At the grocery entrance, the colonnades along the internal private east west private street create 20’ overhangs at the grocery building.

*c. Recesses/projections;*

**Finding: Complies.** Both the grocery building and the in line retail building incorporate a variety of wall recesses and projections.

*d. Arcades;*

**Finding: Complies.** The two primary gabled entry pavilions at the grocery building have four large piers creating an arcade effect.

*e. Raised corniced parapets over the door;*

**Finding: Complies.** The two primary gabled entry pavilions at the grocery building provide raised corniced parapets over the doors to create a strong landmark over the two entryways.

*f. Peaked roof forms;*

**Finding:** There are two primary gabled entry pavilions at the north elevation create peaked roof forms. However, the south elevation does not.

*g. Arches;*

*h. Outdoor patios;*

**Finding: Complies.** Multiple outdoor patios are proposed at both the grocery building and at multiple locations along the in line retail. Specifically, outdoor patios are provided in the pergola area in front of the Safeway building, at the eastern corner of the new building where the in line

retail shops and the Safeway building intersect, and at the far western edge of the in line retail shops at the Beavercreek frontage.

*i. Display windows;*

**Finding: Complies.** Display windows are incorporated into both the Safeway building and the in line retail building.

*j. Architectural details such as tile work and moldings which are integrated into the building structure and design;*

**Finding: Complies.** On the grocery building, the modular brick and/or “ledgestone” base and repeating trellis elements over the seating and entries satisfy the stated criterion for this element. On the in line retail buildings, the brick detail and steel canopy satisfy this element.

*k. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.*

**Finding: Complies.** The two pedestrian plaza elements adjacent to the new building incorporate integral planters with seat walls. Additionally, a series of benches surrounded by landscaping is provided at the pedestrian plaza adjacent to Beavercreek Road and the transit stop.

*l. Planter boxes and street furniture placed in the right-of-way shall be approved for use according to materials, scale and type.*

**Finding: Not applicable.** No planter boxes or street furniture will be placed in the right-of-way.

*4. Where additional stores will be located in the large retail establishment, each such store shall have at least one exterior customer entrance, which shall conform to the same requirements.*

**Finding: Complies.** Each store will have at least one exterior customer entrance. Below is a description of how each building complies with this requirement.

In Line Retail: Each tenant space will have a separate entry that is defined by canopies and tenant signage. The grocery has two (2) primary entries located directly along the internal private street / plaza discussed above.

*5. Trellises, canopies and fabric awnings may project up to five feet into front setbacks and public rights of way, provided that the base is not less than eight feet at the lowest point and no higher than ten feet above the sidewalk. Awnings shall be no longer than a single storefront.*

**Finding: Not applicable.** Applicant has not proposed awnings projecting into the right-of-way.

**E. Corner Lots.** For buildings located at the corner of intersections, the primary entrance of the building shall be located at the corner of the building or within twenty five feet of the corner of the building. Additionally, one of the following treatments shall be required:

- 1. Incorporate prominent architectural elements, such as increased building height or massing, cupola, turrets, or pitched roof, at the corner of the building or within twenty five feet of the corner of the building.*
- 2. Chamfer the corner of the building (i.e. cut the corner at a forty five degree angle and a minimum of ten feet from the corner) and incorporate extended weather protection (arcade or awning), special paving materials, street furnishings, or plantings in the chamfered area.*

**Finding: Not applicable.** There are no corner lots in the detailed development plan. The only applicable ‘corner lot’ condition pertains to the two (2) 7,500 SF retail buildings proposed at the

intersection of Molalla Avenue and Beavercreek Road, which will be part of a future detailed development plan and compliance will be reviewed at that time.

**F. Commercial First Floor Frontage.** *In order to ensure that the ground floor of structures have adequate height to function efficiently for retail uses, the first floor height to finished ceiling of new infill buildings in the mixed use and neighborhood commercial districts shall be no lower than fourteen feet floor to floor. Where appropriate, the exterior façade at the ceiling level of new structures shall include banding, a change of materials or relief which responds to the cornice lines and window location of existing buildings that abut new structures.*

**Finding: Not applicable.** The subject property is not located in either the mixed use or neighborhood commercial districts.

**G. Variation in Massing.**

*1. A single, large, dominant building mass shall be avoided in new buildings and, to the extent reasonably feasible, in development projects involving changes to the mass of existing buildings.*

**Finding: Complies.** The proposed grocery and in line retail building design incorporates a variety of massing, material and wall articulation/changes, however the grocery façade has the most variation and substantial massing.

*2. Horizontal masses shall not exceed a height: width ratio of 1:3 without substantial variation in massing that includes a change in height and projecting or recessed elements.*

**Finding: Complies.** As shown below, all facades exceed the height: width ratio of 1:3. The north façade has more substantial variation in massing through the use of pillared canopies and sloping and peaked roof forms. The west facade includes the truck screening wall. The other facades have parapets averaging 2-3' above the main roof line and include canopies, recesses and projections.

Facade	Height	Width	Ratio	Change in Height	Projections or Recesses
North	23'	350'	1/15	12' to peak of canopy 9' to peak of sloped roof 2' change between retail and grocery	Pillars under canopy Canopies 16' beyond building wall Retail recessed 15'
South	21'	350'	1/16.6	2' parapet, 3' to peak of sloped roof	Recess at SW plaza, canopies
East	23'	199'	1/8.6	2-3' parapet	7' 2" recess on retail, canopies
West	26'	268'	1/10	2' parapet	Screen wall, canopies

*3. Changes in mass shall be related to entrances, the integral structure and/or the organization of interior spaces and activities and not merely for cosmetic effect.*

**Finding: Complies.** Exterior massing on the proposed grocery and in line retail building(s) relates to defined building entrances and the interior activities associated with the building function. Specific purposes for the massing in each building are as follows:

In Line Retail: Simple projecting metal cornices, stepped parapets and 14' 0" extended window head heights at the brick corners reduces the dominant building affect at the perimeter in line shop buildings and provides a focal point for each tenant entrance.



Grocery: The grocery building design includes primary massing changes along the frontage emphasizing entries and customer areas. Massing changes along the side and rear are less associated with interior organization but create an appropriate rhythm on the exterior.

**H. Minimum Wall Articulation.**

1. *Façades shall add architectural interest and variety and avoid the effect of a single, long or massive wall with no relation to human size. No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding thirty feet without including, but not be limited to, at least two of the following:*

i. *Change in plane,*

ii. *Change in texture or masonry pattern or color,*

iii. *Windows, treillage with landscaping appropriate for establishment on a trellis.*

iv. *An equivalent element that subdivides the wall into human scale proportions.*

**Finding: Complies.** The exterior elevations of the proposed grocery and in line retail building(s) each provide for minimum wall articulation to create architectural interest to the building facades. Each exterior elevation incorporates no fewer than two (2) of the following design elements where the uninterrupted wall length exceeds thirty feet.

In Line Retail: Façade treatment at the in line retail buildings expresses the structural bays of the building in the storefront, structural support points and at the engaged brick pilasters at the brick corners elements.

Grocery: The north elevation is in compliance with no walls longer than 30 without the required elements.

The west elevation along the loading dock incorporates a series of pavilion definitions at the 30' length using vertical parapet movements and planted raised metal grids creating green wall columns breaking up the visual massing.

The remaining east and south wall elevations of the larger grocery building are enveloped by the surrounding in line retail building(s) which form an integral aspect of satisfying the intent outlined in this section.

2. *Façades greater than one hundred feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the façade and extending at least twenty percent of the length of the façade. No uninterrupted length of any façade shall exceed one hundred horizontal feet.*

**Finding: Complies.** All facades exceed 100 feet in length, however all incorporate wall plane projections that comply with this standard, as follows:

- The north (primary entrance façade) at 271' @ 3% = 8.13 feet. The entrance pavilions are offset 15' the north entry façade is in compliance.
- The east façade at 222' @ 3% = 7 feet. 20% = 44'. The retail shops at the corner are offset by 7' 2" for 63' and are in compliance.
- The west façade at 218' @ 3% = 6.5 feet. 20% = 42' The loading dock offsets 33' and is 48' long.
- The south façade at 294 feet in length @ 3% = 8.8' and 20% = 58.8' the off set at the chamfered pavilion is 10' and its length is 69' 6".

3. Ground floor façades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty percent of their horizontal length.

**Finding: Complies.** The in line retail shops along Beaver Creek directly face and incorporate transparent glazing/display windows in approximately 86% of their horizontal length.

4. Building façades must include a repeating pattern that includes any one or more of the following elements:

a. Color change;

b. Texture change;

c. Material module change.

5. Façades shall have an expression of architectural or structural bays through a change in plane no less than twelve inches in width, such as an offset, reveal or projecting rib.

6. Façades shall have at least one of elements subsections H.4. or 5. of this section repeat horizontally. All elements shall repeat at intervals of no more than thirty feet, either horizontally or vertically.

**Finding: Complies.** According to the applicant, a brick and ledgerstone base will vary the color with the EIFS wall colors. The walls will alternate between the background color and the colors of the pavilions as they are defined by the zones below the raised parapets. Both the ledgerstone and the wall mounted trellises are texture changes that occur around the entire building. The proposed grocery and in line retail building(s) incorporate no less than one (1) of the building façade repeating pattern elements listed under this code section. Façade treatment at the in line shop buildings provides a repeating pattern of color, texture and material change. There are continuous reveals scored into the EIFS wall plane to modulate the surface. The reveals create a texture and pattern that relates to lintels at windows, piers at colonnades and varying cornice/parapet heights.

The proposed grocery and in line retail building(s) incorporate both architectural and structural façade expressions to delineate and modulate the exterior wall planes.

Façade treatment at the in line shop buildings expresses the structural bays of the building in the storefront, structural support points and at the engaged brick pilasters at the brick corners. The expressed structural bay piers are no less than 30 inches in width.

An example that is used on the grocery façade is the minor repeating structural pier expressed as a 1' 4" pilaster pier.

The proposed grocery and in line retail building(s) incorporate no less than one (1) of the building façade elements noted in subsections H.4 and/or H.5 of this code section.

Façade treatment at the in line shop buildings expresses the structural bays of the building in the storefront structural support points and at the engaged brick pilasters at the brick corners.

With the reveal patterns and the variation between the base and the cornices there is typically 20' in variation (vertically) continuously around the building. Horizontal distances typically are 6' 12' the largest single plane is 16'.

#### ***I. Façade Transparency.***

1. Transparent windows or doors facing the street are required. The main front elevation shall provide at least sixty percent windows or transparency at the pedestrian level. Façades on corner lots shall provide at least sixty percent windows or transparency on all corner side façades. All other side elevations shall provide at least thirty percent transparency. The transparency is measured in lineal fashion. For example, a one hundred foot long building elevation shall have at least sixty feet (sixty percent of one hundred feet) of transparency in length. Reflective, glazed, mirrored or tinted glass is limited to ten percent of the lineal footage of windows on the street facing façade. Highly reflective or glare producing glass with a

reflective factor of one quarter or greater is prohibited on all building façades. Any glazing materials shall have a maximum fifteen percent outside visual light reflectivity value. No exception shall be made for reflective glass styles that appear transparent when internally illuminated.

**Finding:**

**In Line Retail: Complies.** The in line shop buildings have 86% or 246 lineal feet of transparent glazing on the south façade facing Beavercreek Road and 86% or 202 lineal feet of transparent glazing on the east façade facing Molalla Avenue.

**Grocery: Complies.** The primary grocery façade (The North entrances along the private internal street) has 60% windows or transparency at the pedestrian level with no more than 10% being translucent glazed panels within the window system.

**West Screen Wall: Complies.** The west screen wall complies with the intent of this section where the truck bay is located a side elevation. The applicant has included additional transparency on this elevation to attempt to meet the 30% requirement.

*2. Side or rear walls that face walkways may include false windows and door openings only when actual doors and windows are not feasible because of the nature of the use of the interior use of the building. False windows located within twenty feet of a right-of-way shall be utilized as display windows with a minimum display depth of thirty six inches.*

**Finding: Not applicable.** The west truck bay screen wall includes false windows. Due to the depth of the proposed screen wall and the fact that it is not a building wall, the windows cannot practically serve as display windows and meet the 36" depth required in this section.

**J. Roof Treatments.**

*1. All façades shall have a recognizable "top" consisting of, but not limited to:*

- a. Cornice treatments, other than just colored "stripes" or "bands," with integrally textured materials such as stone or other masonry or differently colored materials; or*
- b. Sloping roof with overhangs and brackets; or*
- c. Stepped parapets;*
- d. Special architectural features, such as bay windows, decorative roofs and entry features may project up to three feet into street rights of way, provided that they are not less than nine feet above the sidewalk.*

**Finding: Complies with Conditions.** The roof treatment for both the grocery and in line retail buildings proposed as part of the Detailed Development Plan include detailed cornice treatments, sloping roofs/overhangs and stepped parapets. Each building(s) contains a recognizable 'top' elements to distinguish massing, entry and roof plane articulation as follows.

**In Line Retail:** The proposed in line retail building design provides a simple projecting metal cornice and stepped parapets at the brick corner elements. The metal cornice at the lower parapet stucco wall is articulated with a double step fascia. Selected cornice colors provide a horizontal line that creates a visual break between the building wall plane and the roof.

**Grocery:** The cornice details for the grocery building are dimensioned and detailed with a highly profiled cap with flashing and EIFS. At the major end pavilions the cornice profile distinguishes the pavilion elements from the building entries. On the primary grocery façade (entrance) both the two large gabled roof/portico elements which define the building entrance and the parallel gabled element at the center of the façade include craftsman –style knee bracing on the exposed rafters.

Pursuant to OCMC 17.62.050.A.(3), “All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear façades or decking shall be prohibited.” The primary façade of the grocery includes pavilion elements include two large gabled roof/portico elements which define the building entrance and the parallel gabled element at the center of the façade include craftsman –style knee bracing on the exposed rafters.

The Hillendale Neighborhood Association (Exhibit 9a), has also commented regarding the need to modify the roofline on all street facing facades to include some distinctive architectural articulation. The applicant shall therefore revise all elevations to provide at least two (2) of the roof form features listed in OCMC 17.62.056.D.1(a) through (d) for all building elevations.

**Applicant can assure this standard is met through Conditions of Approval 9 and 10.**

2. *Mixed use buildings: for flat roofs or façades with a horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or 0.1 multiplied by the wall height (finish grade to top of wall). The maximum length of any continuous roofline shall be seventy five feet.*

**Finding: Not applicable.** As proposed, the grocery and in line retail building(s) are both considered commercial retail uses.

3. *Other roof forms consistent with the design standards herein may satisfy this standard if the individual segments of the roof with no change in slope or discontinuity are less than forty feet in width (measured horizontally).*

**Finding: Complies with conditions.** The applicant shall revise all elevations to provide at least two (2) of the roof form features listed in OCMC 17.62.056.D.1 (a) through (d) for all building elevations. **Applicant can assure this standard is met through Condition of Approval 10.**

K. *Drive through facilities shall:*

1. *Be located at the side or rear of the building.*
2. *Be designed to maximize queue storage on site.*

**Finding: Not applicable.** No new drive-through facilities are proposed as part of this application.

**17.62.056 ADDITIONAL STANDARDS FOR LARGE RETAIL ESTABLISHMENTS.**

A. *This section is intended to ensure that large retail building development is compatible with its surrounding area.*

B. *Large retail establishment shall mean a retail building occupying more than ten thousand gross square feet of floor area.*

**Finding: This standard is applicable.** The grocery store is proposed to be 55,465 square feet which is a large retail facility and the combined square footage of the in line retail stores is 23,378 square feet.

**D. Development Standards.**

1. *Roofs. Roofs shall include at least two of the following features:*

- a. *Parapets concealing flat roofs and rooftop equipment from public view. The average height of such parapets shall not exceed fifteen percent of the height of the supporting wall and such parapets shall not at any point exceed one third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatment;*
- b. *Overhanging eaves, extending no less than three feet past the supporting walls;*
- c. *Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run;*
- d. *Three or more roof slope planes.*

**Finding: Complies with Conditions.** Regarding standard (a), the building wall is 26' tall, therefore per this section the average height of the parapet may not exceed 3.9' tall. The cornice details are dimensioned and detailed to show that the typical cornice is a highly profiled cap with flashing and EIFS. At the major end pavilions the cornice profile becomes very distinct and acts as a here dimensional roof cap that distinguishes the pavilion elements from the rest of the building.

- East: parapet = 3.5'
- North: parapet = 2-3'
- West: 3.5'
- South: 3.5'

The applicant points out that this section (a) conflicts with 17.62.050.20 mechanical equipment screening which requires parapets to be as high as the largest tallest mechanical equipment. Staff believes that no conflict exists if the intent of the screening can be met with the existing parapet wall. In the event that there is a conflict with this section and additional screening of mechanical equipment is required, the applicant shall prepare a line-of-sight drawing for review by the Community Development Director that provides additional screening for any rooftop mechanical equipment independent of the main roof parapet through the use of a secondary parapet or screen wall.

Regarding overhanging eaves, the gabled roof elements are shown project between 1' to 2.5' beyond the roof canopy, therefore standard (b) of this section has not been met.

Regarding sloping roofs, the main gabled entry elements contain sloping roof forms with a 4:12 pitch, however, the other three elevations do not meet standard (c) of this section.

Regarding three or more roof slope planes, the north elevation contains five (5) sloped planes plus canopies on the primary façade (entrance elevation), however, the other three elevations do not meet standard (d) of this section.

The applicant shall therefore provide revised elevations that provide at least two (2) of the roof features listed in OCMC 17.62.056.D.1 (a) through (d) above for all building elevations.

**Applicant can assure this standard is met through Condition of Approval 10 and 22.**

**2. Site Design and Relationship to Surrounding Community.** Retail buildings occupying more than twenty five thousand gross square feet of floor area shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following:

- a. Patio/seating area;
- b. Pedestrian plaza with benches;
- c. Transportation center;
- d. Window shopping walkway;
- e. Outdoor playground area;
- f. Kiosk area, water feature;
- g. Clock tower;
- h. Or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the appropriate decision maker, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

**Finding: Complies.** The proposed grocery and in line retail building(s) incorporate no fewer than four (4) of the public amenity enhancements defined by this section in response the retail buildings occupying more than twenty five thousand gross square feet of floor area.

**17.62.065 Outdoor lighting.**

A. Purpose. The general purpose of this section is to require outdoor lighting that is adequate for safety and convenience; in scale with the activity to be illuminated and its surroundings; directed to the surface or activity to be illuminated; and designed to clearly render people and objects and contribute to a pleasant nighttime environment. Additional specific purposes are to:

1. Provide safety and personal security as well as convenience and utility in areas of public use or traverse, for uses where there is outdoor public activity during hours of darkness;
2. Control glare and excessive brightness to improve visual performance, allow better visibility with relatively less light, and protect residents from nuisance and discomfort;
3. Control trespass light onto neighboring properties to protect inhabitants from the consequences of stray light shining in inhabitants' eyes or onto neighboring properties;
4. Result in cost and energy savings to establishments by carefully directing light at the surface area or activity to be illuminated, using only the amount of light necessary; and
5. Control light pollution to minimize the negative effects of misdirected light and recapture views to the night sky.

**Finding: Complies.** The applicant provided a lighting plan that appears to conform to this section. Exterior wall fixtures on the buildings will be downcast lights to control excessive glare and light pollution. Given the fact that there are no adjacent residential uses, no impacts associated with trespass lighting are anticipated. Parking area lighting provides for adequate safety and customer convenience while controlling light pollution which might impact the surrounding area.

**C. General Review Standard.** If installed, all exterior lighting shall meet the functional security needs of the proposed land use without adversely affecting adjacent properties or the community. For purposes of this section, properties that comply with the design standards of subsection D. below shall be deemed to not adversely affect adjacent properties or the community.

**Finding: Complies.** The applicant acknowledges that all exterior lighting will meet the functional security needs of the proposed land use without adversely affecting adjacent properties or the community.

**D. Design and Illumination Standards. General Outdoor Lighting Standard and Glare Prohibition.**

1. Outdoor lighting, if provided, shall be provided in a manner that enhances security, is appropriate for the use, avoids adverse impacts on surrounding properties, and the night sky through appropriate shielding as defined in this section. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 footcandles of light as measured at the property line. In no case shall exterior lighting add more than 0.5 foot candle to illumination levels at any point off site. Exterior lighting is not required except for purposes of public safety. However, if installed, all exterior lighting shall meet the following design standards:
2. Any light source or lamp that emits more than nine hundred lumens (thirteen watt compact fluorescent or sixty watt incandescent) shall be concealed or shielded with a full cut off style fixture in order to minimize the potential for glare and unnecessary diffusion on adjacent property. All fixtures shall utilize one of the following bulb types: metal halide, induction lamp, compact fluorescent, incandescent (including tungsten halogen), or high pressure sodium with a color rendering index above seventy.
3. The maximum height of any lighting pole serving a multi family residential use shall be twenty feet. The maximum height serving any other type of use shall be twenty five feet, except in parking lots larger than five acres, the maximum height shall be thirty five feet if the pole is located at least one hundred feet from any residential use.
4. Lighting levels:

Table 1 17.62.065.  
Foot candle Levels

Location	Min	Max	Avg
Pedestrian Walkways	0.5	7:1 max/min ratio	1.5
Pedestrian Walkways in Parking Lots		10:1 max/min ratio	0.5
Pedestrian Accessways	0.5	7:1 max/min ratio	1.5
Building Entrances	0.5		
Bicycle Parking Areas			

Residential			
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5. Parking lots and other background spaces shall be illuminated as unobtrusively as possible while meeting the functional needs of safe circulation and protection of people and property. Foregoing spaces, such as building entrances and outside seating areas, shall utilize pedestrian scale lighting that defines the space without glare.
6. Any on site pedestrian circulation system shall be lighted to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night. Pedestrian walkway lighting through parking lots shall be lighted to light the walkway and enhance pedestrian safety pursuant to Table 1.
7. Pedestrian Accessways. To enhance pedestrian and bicycle safety, pedestrian accessways required pursuant to Oregon City Municipal Code 12.28 shall be lighted with pedestrian scale lighting. Accessway lighting shall be to a minimum level of one half footcandles, a one and one half footcandle average, and a maximum to minimum ratio of seven to one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances. Lamps shall include a high pressure sodium bulb with an unbreakable lens.
8. Floodlights shall not be utilized to light all or any portion of a building façade between ten p.m. and six a.m.
9. Lighting on automobile service station, convenience store, and other outdoor canopies shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy.
10. The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site.
11. In no case shall exterior lighting add more than one footcandle to illumination levels at any point off site.
12. All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non operating hours.
13. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.
14. For upward directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the building roofline.
15. No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting.
16. Wireless Sites. Unless required by the Federal Aviation Administration or the Oregon Aeronautics Division, artificial lighting of wireless communication towers and antennas shall be prohibited. Strobe lighting of wireless communication facilities is prohibited unless required by the Federal Aviation Administration. Security lighting for equipment shelters or cabinets and other on the ground auxiliary equipment on wireless communication facilities shall be initiated by motion detecting lighting.
17. Lighting for outdoor recreational uses such as ball fields, playing fields, tennis courts, and similar uses, provided that such uses comply with the following standards:
  - a. Maximum permitted light post height: Eighty feet.
  - b. Maximum permitted illumination at the property line: 0.5 footcandles.

**Finding: Complies with Conditions.** The applicant’s lighting plan indicates no more than 0.5 foot-candles at the property line. The applicant has not indicated the max/min ratios for the applicable areas on the lighting plan. The applicant has not provided lighting fixture specifications for the pedestrian scale lighting. Applicant shall provide this information prior to Planning Commission approval. **Applicant can meet this standard through Condition of Approval 23.**

**17.62.080 SPECIAL DEVELOPMENT STANDARDS ALONG TRANSIT STREETS.**

**A. Purpose.** This section is intended to provide direct and convenient pedestrian access to retail, office and institutional buildings from public sidewalks and transit facilities and to promote pedestrian and transit travel to commercial and institutional facilities.

**Finding: The applicant has requested adjustments to the standards of this section pursuant to section 17.65.070.** The Planning Commission will need to determine whether the adjustments meet the intent of this section.

**B. Applicability.** Except as otherwise provide in this section, the requirements of this section shall apply to the construction of new retail, office and institutional buildings which front on a transit street.

**Finding:** Beaver Creek Road and Molalla Avenue are both designated as a Transit Streets on the Oregon City Transportation System Plan. These standards are applicable.



**C. Development Standards.**

1. All buildings shall have at least one main building entrance oriented towards the transit street. A main building entrance is oriented toward a transit street if it is directly located on the transit street, or if it is linked to the transit street by an on site pedestrian walkway that does not cross off street parking or maneuvering areas.

a. If the site has frontage on more than one transit street, or on a transit street and a street intersecting a transit street, the building shall provide one main building entrance oriented to the transit street or to the corner where the two streets intersect.

**Finding: The applicant has requested an adjustment to this standard pursuant to the Master Plan Adjustment criteria of section 17.65.070 below.** The detailed development plan fronts on Beavercreek Road, and the master plan boundary has frontage on both Beavercreek Road and Molalla Avenue. As discussed previously on page 44, the distance to the transit street is related to the pedestrian amenity design improvements proposed by the applicant as mitigation for this adjustment. The Planning Commission should determine whether the mitigation proposed by the applicant is adequate to meet this standard.

b. For building façades over three hundred feet in length on a transit street, two or more main building entrances shall be provided as appropriate and oriented towards the transit street.

**Finding: The applicant has requested an adjustment to this standard pursuant to the Master Plan Adjustment criteria of section 17.65.070 below.** The applicant states that this standard can be satisfied by either being directly on the transit street or linked to the transit street by an on site pedestrian walk way that does not cross off street parking or maneuvering areas. The applicant has provided a detailed discussion about the adequacy of the on-site pedestrian circulation system, and provides walking distances to the various buildings from the public sidewalk. The Planning Commission should determine whether the mitigation proposed by the applicant is adequate to meet this standard.

2. Main building entrances shall be well lighted and visible from the transit street. The minimum lighting level for building entries shall be three footcandles. Lighting shall be a pedestrian scale with the source light shielded to reduce glare.

**Finding: Complies with Conditions.** The main building entrance does not face the transit street. All other buildings entrances that face the transit streets as proposed are well lighted and visible. The applicant has not indicated the max/min ratios for the applicable areas on the lighting plan. The applicant has not provided lighting fixture specifications for the pedestrian scale lighting. Applicant shall provide this information prior to Planning Commission approval. **Applicant can meet this standard through compliance with Condition of Approval 23.**

3. In the event a requirement of this section conflicts with other requirements in Title 17, the requirements of this section shall control.

D. Exemptions. The following permitted uses are exempted from meeting the requirements of subsection C. of this section:

1. Heavy equipment sales;
2. Motor vehicle service stations, including convenience stores associated therewith;
3. Solid waste transfer stations; and
4. Truck stops, including convenience stores, eating or drinking establishments, overnight accommodations or other similar services associated therewith. A use found by the community development director to be similar to the exempt uses above.

**Finding:** The General Development Plan has identified an area for a potential fuel center pad as part of a Phase 2 identified in the General Development Plan, which will be reviewed at the time a detailed development plan is submitted.

**17.62.085 REFUSE AND RECYCLING STANDARDS FOR COMMERCIAL, INDUSTRIAL, AND MULTI FAMILY DEVELOPMENTS.**

*The purpose and intent of these provisions is to provide an efficient, safe and convenient refuse and recycling enclosure for the public as well as the local collection firm. All new development, change in property use, expansions or exterior alterations to uses other than single family or duplex residences shall include a refuse and recycling enclosure. The area(s) shall be:*

- A. Sized appropriately to meet the needs of current and expected tenants, including an expansion area if necessary;*
- B. Designed with sturdy materials, which are compatible to the primary structure(s);*
- C. Fully enclosed and visually screened;*
- D. Located in a manner easily and safely accessible by collection vehicles;*
- E. Located in a manner so as not to hinder travel lanes, walkways, streets or adjacent properties;*
- F. On a level, hard surface designed to discharge surface water runoff and avoid ponding;*
- G. Maintained by the property owner;*
- H. Used only for purposes of storing solid waste and recyclable materials;*
- I. Designed in accordance with applicable sections of the Oregon City Municipal Code (including Chapter 8.20 Solid Waste Collection and Disposal) and city adopted policies.*

**Finding: Complies with Conditions.** The applicant indicated various refuse and recycling locations on the site plans. Final locations for these facilities may change dependent on the required modifications to the site plan. Applicant shall provide a refuse and recycling plan for the detailed development plan that conforms to this section prior to issuance of a building permit for the site. Refuse and recycling locations shall be designed for their intended use and shall not displace required off-street parking without the approval of the Community Development Director. **Applicant can meet this standard through Condition of Approval 24.**

**17.62.090 Enforcement.**

*A. Applications for site plan and design review shall be reviewed in the manner provided in Chapter 17.50. The city building official may issue a certificate of occupancy only after the improvements required by site plan and design review approval have been completed, or a schedule for completion and a bond or other financial guarantee have been accepted by the city.*

**Finding:** This application is subject to a Type III procedure. The applicant understands that the city building official may issue a certificate of occupancy only after the improvements required by site plan and design review approval have been completed, or a schedule for completion and a bond or other financial guarantee have been accepted by the city.

*B. In performing site plan and design review, the review authority shall consider the effect of additional financial burdens imposed by such review on the cost and availability of needed housing types. Consideration of such factors shall not prevent the imposition of conditions of approval found necessary to meet the requirements of this section. The cost of such conditions of approval shall not unduly increase the cost of housing beyond the minimum necessary to achieve the provisions of this title, nor shall such cost prevent the construction of needed housing types. The use of the site plan and design review provisions of this section shall have no effect on dwelling unit densities.*

**Finding: Not applicable.** There are no dwelling units proposed as part of the development.

**17.65. MASTER PLANS**

**17.65.030 Applicability of the Master Plan Regulations.**

*A. Submission. A master plan shall be submitted for any institutional development on a site over ten acres in size. If the boundaries of an institutional development exceed ten acres in size, the proposed development shall be master planned using the regulations of this chapter. No permit under this title shall be issued for any institutional development in excess of ten acres in total acreage unless it is accompanied by or preceded by a master plan approval under this chapter.*

*The provisions of this chapter do not apply to modifications to existing institutional developments unless the modification results in a cumulative square footage increase of over ten thousand total building square feet in an existing institutional development over ten acres.*

*B. When Required as Part of Previous Land Use Review. The master plan regulations may be used to fulfill a condition of approval from a previous land use decision requiring master planning for a development.*

C. When Identified in the Oregon City Comprehensive Plan. The master plan regulations are required for all properties identified for master planning in the Land Use section of the Oregon City Comprehensive Plan.  
D. Voluntarily. An applicant may voluntarily submit a master plan as part of a land use review.

**Finding:** In accordance with subsection D above, the applicant is voluntarily submitting for a master plan.

#### **17.65.040 Procedure.**

A. Pre Application Review. Prior to filing for either General Development Plan or detailed development plan approval, the applicant shall file a pre application conference pursuant to Section 17.50.030.

**Finding: Complies.** The applicant attended a pre application conference with Oregon City staff on February 23, 2010. See Exhibit 8.

B. General Development Plan. An application for a general development plan describing the long term buildout of the site shall be reviewed through a Type III procedure. An applicant must have an approved general development plan before any detailed development plan may be approved, unless both are approved or amended concurrently. Amendments to an approved general development plan shall be reviewed under a Type III procedure pursuant to Section 17.65.080.

C. Detailed Development Plan. An application for a detailed development plan, is processed through a Type II procedure, as long as it is in conformance with the approved general development plan. Amendments to an approved detailed development plan shall be processed pursuant to Section 17.65.080. Once a development has an approved detailed development plan, Chapter 17.62—Site Plan and Design Review is not required.

D. Concurrent Review. An applicant may concurrently apply for a general development plan and a detailed development plan, or any phase of a detailed development plan. Such a concurrent application is reviewed through a Type III procedure.

**Finding:** In accordance with this section of the code, the applicant has applied for a concurrent Type III review for the proposed general development plan and Detailed Development Plan. The applicant understands that a detailed development plan would normally be processed as a Type II procedure. However, because both the General Development Plan and the Detailed Development Plan are being submitted concurrently, they are both being reviewed through the Type III procedure.

#### **17.65.050 General Development Plan.**

A. Approval Criteria for a General Development Plan. The planning commission shall approve an application for general development plan approval only upon finding that the following approval criteria are met.

1. The proposed general development plan is consistent with the purposes of Chapter 17.65.

**Finding: Complies.** A master plan is appropriate for large scale sites that will be phasing development over time, and which require specialized, discretionary review. Therefore, the proposed master plan is consistent with the purposes of the Chapter 17.65. The purposes of Chapter 17.65 are found at 17.65.010 above.

The applicant states that the purpose of the Hilltop Master Plan is:

“to develop the valuable Hilltop site to provide significant family oriented retail services to the Oregon City community. Immediate development will include a new Safeway grocery store and adjacent retail space. This catalyst project will foster growth and redevelopment of the remainder of the valuable Hilltop site, much of which is already built out. The proposed project will provide significant economic opportunities to Oregon City residents through both construction jobs and long term employment jobs with a large scale nationally established retailer. Safeway provides outstanding employment opportunities for the Oregon City community, including living wage jobs. Additionally, the project provides the valuable grocery store service to Oregon City residents. Access to affordable and convenient grocery services is a mainstay of any thriving community. The Danielson family has operated a grocery store on this site since 1971 and the grocery function of this site has been a staple

in the Oregon City community for almost forty years. This redevelopment ensures that Oregon City will be served by grocery in this area for decades to come with the entrance of Safeway, a nationally recognized leader in the grocery business, to the Oregon City community. This is Safeway's first store in the Oregon City area since 1971."

*2. The transportation system has sufficient capacity based on the city's level of service standards and is capable of safely supporting the development proposed in addition to the existing and planned uses in the area, or will be made adequate by the time each phase of the development is completed.*

**Finding: Complies with Conditions.** See Section 12.04.050 for findings and Conditions of Approval regarding the capacity of the Transportation System.

*3. Public services for water supply, police, fire, sanitary waste disposal, and storm water disposal are capable of serving the proposed development, or will be made capable by the time each phase of the development is completed.*

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. The site is currently served by public services. Specifically, water supply, sewer service, storm water service and police and fire protection already available to the site. The square footage at the end of the General Development Plan will amount to a slight decrease in square footage of 1,127 square feet. In the first phase of the Detailed Development Plan, a reduction of 19,183 square feet will occur. City staff has indicated that the existing public services will serve the Master Plan area. The applicant has been working with each of the City agencies to finalize those determinations and to the extent that any future demands require improvements to public services the applicant will provide those improvements as requested and detailed by city staff.

**Applicant can assure this standard is met through Conditions of Approval 1, 2 and 6-8.**

*4. The proposed general development plan protects any inventoried Goal 5 natural, historic or cultural resources within the proposed development boundary consistent with the provisions of applicable overlay districts.*

**Finding: Complies with Conditions.** There is one Goal 5 resource within the boundary of the site, a wetland that is delineated on the City's Natural Resource Overlay District Map. The waterway existing on the east side of the project boundary is an inventoried wetland. This resource will be protected through the applicant's development plan. In Section 17.49 herein, there is a detailed explanation of how the resource is protected. The mitigation plan proposed by the applicant enhances and expands the vegetative buffer. The applicant's wetland delineation and mitigation plan has been reviewed by the city's wetland consultant, David Evans and Associates (Exhibit 13), who have recommended specific conditions of approval regarding the delineation. Therefore, the General Development Plan will adequately protect existing Goal 5 resources (the waterway) within the boundaries of the site. **Applicant can assure this standard is met through Condition of Approval 11-13.**

*5. The proposed general development plan, including development standards and impact mitigation thresholds and improvements adequately mitigates identified impacts from each phase of development. For needed housing, as defined in ORS 197.303 (1), the development standards and mitigation thresholds shall contain clear and objective standards.*

**Finding: Complies with Conditions.** See also Section 17.65.070 below. The general development plan proposes two phases of development. The first phase is being concurrently reviewed through a Detailed Development Plan. The Detailed Development Plan conforms to the development standards with adjustments. The applicant did not adequately address impact mitigation thresholds for improvements to address connectivity of the pedestrian and vehicular circulation system and how the parking lot landscaping for all phases will be brought into compliance at the

time of full build out of the site. The applicant shall provide a phasing plan that addresses the needed mitigation.

**The applicant can meet this standard by complying with the Conditions of Approval attached to this Staff Report.**

*6. The proposed general development plan is consistent with the Oregon City Comprehensive Plan and its ancillary documents.*

**Finding: Complies with Conditions.** The applicant indicates that the proposed General Development Plan is consistent with the applicable goals of the Oregon City Comprehensive Plan as follows:

**Section 1 Citizen Involvement**

*Goal 1.1 – Citizen Involvement Program. Implement a Citizen Involvement Program that will provide an active and systematic process for citizen participation in all phases of the land-use decision making process to enable citizens to consider and act upon a broad range of issues affecting the livability, community sustainability and quality of neighborhoods and the community as a whole.*

**Finding: Complies with Conditions.** The applicant has sought significant community input through several meetings with the CIC and Hillendale neighborhood association. The Hillendale Neighborhood Association has commented on the application (See Exhibit 9). Property owners within 300 feet of the site have been sent copies of the public notice and the property has been posted with Notices of Land Use Action in accordance with OCMC 17.50.090. Finally the public notice was published in the Clackamas Review / Oregon City News 20 days prior to the hearing date. Additionally, further public input will be provided through one or more public hearings regarding the application.

*Goal 1.4 – Community Involvement. Community Involvement. Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation of policies.*

**Finding: Complies with Conditions.** The application and all materials associated with it have been available for review and comment at the City Planning Division. The land use notice and vicinity maps as well as the basic site plan have been posted on the city planning divisions “current applications” webpage. All noticing requirements of OCMC 17.50.090 have been met. Additionally the applicant has promoted community involvement in this General Development Plan through the dissemination of information on the project through several neighborhood meetings, including the Hillendale Neighborhood Association and the Citizen Involvement Council.

*Goal 1.5 – Government/Community Relations. Provide a framework for facilitating open, two-way communication between City representatives and individuals, groups, and communities.*

**Finding: Complies with Conditions.** Through the General Development Plan process the applicant has utilized the City’s framework of both informal and formal meetings with city representatives to communicate regarding the proposed project.

**Section 2. Land Use.**

*Goal 2.1 – Efficient Use of Land. Ensure that property planned for residential, commercial, office, and industrial uses is used efficiently and that land is developed following principles of sustainable development.*

**Finding: Complies with Conditions.** The subject property is zoned “C” General Commercial which provides dimensional standards to promote denser land use patterns and maximum utilization of available developable land. The proposed General Development Plan ensures that the property will be used for commercial uses.

*Goal 2.3 – Corridors. Focus transit-oriented, higher intensity, mixed-use development along selected transit corridors.*

**Finding: Complies with Conditions.** Molalla Avenue and Beaver Creek Road are transit corridors pursuant to the Oregon City Transportation System plan. The application was reviewed subject to site plan and design review standards for development along transit streets. The General Development Plan allows for the future redevelopment of these existing uses to include transit-oriented uses at a high intensity level in compliance with this Goal.

*Goal 2.4 – Neighborhood Livability. Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of other sections of the Comprehensive Plan.*

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. The Hilltop area has long been served by commercial services on this site, including a grocery store, and this redevelopment ensure a long future for the continued availability of those services. The proposed General Development Plan will provide a gathering place for local residents and visitors for decades to come. The General Development Plan is consistent with Goal 2.4 of the Comprehensive Plan.

*Goal 2.5 – Retail and Neighborhood Commercial. Encourage the provision of appropriately scaled services to neighborhoods.*

**Finding: Complies with Conditions.** The scale of the proposed development plan is appropriate to the surrounding neighborhoods. As the Hilltop area, adjacent Red Soils Campus, and the Molalla Avenue Mixed Use corridor continues to re-develop, the location of the Hilltop Mall will become more important as an urban center.

### **Section 6 – Quality of Air, Water and Land Resources.**

*Goal 6.1 – Air Quality. Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping and education.*

**Finding: Complies with Conditions.** The applicant states that this proposed project uses a land-use pattern that creates dense urban development in an existing urban area that serves a close-in population. The development pattern also makes strong connections to local transit and provides pedestrian and bicycle oriented amenities. Assuming that land use patterns adjacent to the site continue to promote density and mixed-use, residential and commercial development, the redevelopment of the site will promote this goal.

*Goal 6.2 – Water Quality. Control erosion and sedimentation associated with construction and development activities to protect water quality.*

**Finding: Complies with Conditions.** The project will comply with all applicable erosion control measures.



*Goal 6.3 – Nightlighting. Protect the night skies above Oregon City and facilities that utilize the night sky, such as the Haggart Astronomical Observatory, while providing for nightlighting at appropriate levels to ensure safety for residents, businesses and users of transportation facilities, to reduce light trespass onto neighboring properties, to conserve energy, and to reduce light pollution via use of night-friendly lighting.*

**Finding: Complies with Conditions.** The applicant provided a lighting plan that appears to conform to this goal. Exterior wall fixtures on the buildings will be downcast lights to control excessive glare and light pollution. Given the fact that there are no adjacent residential uses, no impacts associated with trespass lighting are anticipated. Parking area lighting provides for adequate safety and customer convenience while controlling light pollution which might impact the surrounding area.

*Goal 6.4 – Noise. Prevent excessive noise that may jeopardize the health, welfare, and safety of the citizens or degrade the quality of life.*

**Finding: Complies with Conditions.** The subject property is situated along three transit streets and one transit corridor. There are no residential uses in proximity to the proposed project. Noise is abated through landscaping, setbacks and the adjacent traffic noise. There will be no excessive noise generated at the site that will jeopardize the health, welfare, and safety of the Oregon City citizens.

**Section 12 Transportation.**

*Goal 12.1 – Land Use-Transportation Connection. Ensure that the mutually supportive nature of land use and transportation is recognized in planning for the future of Oregon City.*

**Finding: Complies with Conditions.** The applicant indicates the proposed project incorporates the applicable policies of this Goal (policies 12.1.1, 12.1.2, and 12.1.3) into the project. Specifically, the project proposes multi-modal connections to the site allowing for vehicular, transit, pedestrian and bicycle access to the redevelopment. The proposed and existing intense commercial uses support the Mollala and Beavercreek transit corridors and the surrounding major arterials, optimizing the land use-transportation connections surrounding the site. Finally, this commercial development is well situated within Oregon City to serve a variety of residential neighborhoods, including higher density residential neighborhoods.

*Goal 12.2 – Local and Regional Transit. Promote regional mass transit (South Corridor bus, Bus Rapid Transit, and light rail) that will serve Oregon City.*

**Finding: Complies with Conditions.** The General Development Plan provides strong connections to transit through pedestrian connections to Beavercreek Road at a designated transit stop and to Molalla Avenue, a transit corridor. The site is well served by transit connections both regionally and locally focused.

*Goal 12.3 – Multi-Modal Travel Options. Develop and maintain a transportation system that provides and encourages a variety of multi-modal travel options to meet the mobility needs of all Oregon City residents.*

**Finding: Complies with Conditions.** The site provides pedestrian connections that provide pedestrian activity both on the perimeter of the site along the transit streets but also internally through the internal private street grid. Additional pedestrian connections are required between the parking lot and the grocery store. Transit is served with transit stops and connections from transit stops to the interior of the site through the pedestrian plazas and integrated sidewalk connections. Finally, vehicular traffic can access the site in multiple locations that all connect to an



internal private street grid that allows for fully connected vehicular drive aisles to each of the transit streets surrounding the site.

*Goal 12.5 – Safety. Develop and maintain a transportation system that is safe.*

**Finding: Complies with Conditions.** The General Development Plan includes traffic improvements that promote safety at intersections on and adjacent to the site. All vehicular, bicycle and pedestrian crossings are marked through the use of texture changes and/or grade changes to alert the users of pedestrian crossings. The applicant’s Transportation Impact Analysis has been reviewed and found to be consistent with the Oregon City Transportation System Plan. These improvements promote enhanced safety to the Oregon City transportation system.

*Goal 12.6 – Capacity. Develop and maintain a transportation system that has enough capacity to meet users’ needs.*

**Finding: Complies with Conditions.** The applicant’s Transportation Impact Analysis has been reviewed and found to be consistent with the Oregon City Transportation System Plan. Needed capacity improvements at Phase 3 of the project have been identified and the application is conditioned to respond to these needs at the time a detailed development plan is submitted for Phase 3. The system will continue to serve existing and projected travel needs.

*Goal 12.7 – Sustainable Approach. Promote a transportation system that supports sustainable practices.*

**Finding: Complies with Conditions.** The project supports sustainable practices through the use of street trees, parking lot trees and through the support and encouragement of multi-modal transportation links to and from the site.

*Goal 12.8 – Implementation and Funding. Identify and implement needed transportation system improvements using available funding.*

**Finding: Complies with Conditions.** The applicant’s Transportation Impact Analysis (TIA) has been reviewed and found to be consistent with the Oregon City Transportation System Plan. The TIA identifies a small number of transportation improvements that will be funded by the applicant and built in the initial phase of development through the Detailed Development Plan. Needed capacity improvements at Phase 3 of the project have been identified and the application is conditioned to respond to these needs at the time a detailed development plan is submitted for Phase 3.

**Overall Finding: Complies with Conditions. The applicant can assure the proposed General Development Plan is consistent with the applicable goals of the Oregon City Comprehensive Plan by complying with the conditions of approval attached to this staff report.**

**B. Duration of General Development Plan.** *A general development plan shall involve a planning period of at least five years and up to twenty years. An approved general development plan shall remain in effect until development allowed by the plan has been completed through the detailed development plan process, the plan is amended or superseded, or the plan expires under its stated expiration date.*

**Finding: Complies with Conditions.** The applicant provided a phasing plan (Exhibit 26) indicating how the General Development Plan will assure that the non-conforming parking lot and pedestrian and vehicular connectivity through the property will be brought into compliance with the applicable code requirements. Subsequent Detailed Development Plans will be reviewed for

compliance with the General Development Plan. **Applicant can assure this standard is met through Condition of Approval 3.**

**17.65.060 – Detailed Development Plan**

*B. Approval Criteria*

*Approval Criteria. The community development director shall approve an application for detailed development plan approval only upon findings that:*

- 1. All development standards and impact mitigation meet the requirements of the approved General Development Plan, including conditions of approval.*
- 2. Any other applicable zoning regulations that are not addressed in the General Development Plan are met, unless an adjustment to those regulations has been applied for and is approved. The approval standards applicable to adjustments required as part of a master plan are contained in Section 17.65.070.*
- 3. The detailed development plan conforms with the standards contained in Chapter 17.62, unless adjusted as provided in Section 17.65.070.*

**Finding:** The applicant is pursuing concurrently a Detailed Development Plan review and a General Development Plan review. All development standards and impact mitigation concurrently processed through the General Development Plan review shall also address the Detailed Development Plan review, as addressed directly below.

**17.65.070 Adjustments to development standards.**

*A. Purpose. In order to implement the purpose of the City's master plan process, which is to foster the growth of major institutions and other large scale development, while identifying and mitigating their impacts on surrounding properties and public infrastructure, an applicant may request one or more adjustments to the applicable development regulations as part of the master planning process. These include, but are not limited to, items such as: dimensional standards of the underlying zone, site plan and design review criteria, residential design standards, and standards for land division approval.*

**Finding:** In accordance with this section of the code, the applicant is requesting six (6) adjustments to the Site Plan and Design Review standards of OCMC 17.62 as summarized in the table below. The approval criteria related to the adjustments is discussed in Section 17.65.070.D below. The applicant has provided a detailed history of the property in their code responses. For brevity staff has paraphrased the applicant's argument for the requested adjustments.

The applicant claims that 3 factors influence the proposed redesign 1) the location of the water resource along the south of the site 2) a sewer easement which prohibits developments (structures) from being placed in the easement, and 3) the general site configuration including the ground leases on the site which the applicant claims requires orienting the entrance to the grocery store toward the interior of the site.

Applicant Response:

“The General Development Plan approaches the setback and orientation issues along Beaver Creek Road with a series of planning solutions that turn the Detailed Development Plan area into a smaller series of urban scale blocks. By creating an internal private street grid, the site becomes divided at roughly its mid point by an east/west internal private drive that connects to the main access on Molalla Avenue and a north/south internal private drive that connects to both Warner Milne Road and Beaver Creek Road. The north/south internal private drive also connects with the east/west internal private drive at the Northwest corner of the Safeway building. The east/west internal private street becomes the vital element of the interior of the site – activating the interior of the site in an urban form that orients a portion of the

development towards the Molalla transit corridor. Rather than leaving the urban interior street grid to alone satisfy the intent of the code, the applicant has gone a step further by wrapping the Safeway building with in-line retail shops. The shop buildings and Safeway building combine to activate three of the four sides of the new development and connect the Safeway entrance with Beavercreek Road.”

“By activating all three sides of the building and providing internal connectivity through the private street grid, the site instantly creates a sense of place where visitors can comfortably access the site by transit, foot, bike or car and quickly find places to pause. Multiple shopping destinations and public spaces for gathering throughout the site provide an urban setting that invites visitors to linger and adds to the fabric of the Oregon City community.”

“The applicant enhances these opportunities by providing three pedestrian plazas wrapping around the new development. With two plazas along Beavercreek and one at the edge of Safeway connecting to Molalla the visitor to the site is greeted with multiple opportunities to sit and gather as well as ways to access and move around the site by foot.”

**Finding: Complies with Conditions.** With the phasing plan proposed by the applicant and the design of the internal private street grid, the plaza designs, and the placement of retail shops oriented towards Molalla Avenue and Beavercreek Road provide the sufficient mitigation to meet the intent of the code. The applicant shall revise the southeast Beavercreek Road Plaza to include a minimum of 4 elements from the list in OCMC 17.62.055.D.1.(a-i). This may include the addition of sculpture and public art or other features that activate the plaza and make it a useable pedestrian amenity area, or other elements as approved by the Planning Commission. **Applicant can assure this standard is met through Condition of Approval 9.**

#### **List of Adjustments Requested**

**Adjustment 1. The applicant has requested an adjustment to the maximum front yard setback.**

*17.32.050.E. Maximum Allowed Setbacks.*

*1. Front yard setback: Five feet (may be expanded with Site Plan and Design Review Section 17.62.055).*

*2. Interior side yard setback: None.*

*3. Corner side yard setback abutting street: None.*

*4. Rear yard setback: None.*

#### **Applicant’s Response:**

“Due to site constraints (as discussed previously and including the city sewer easement and inventoried wetland) the development cannot be placed within the required setback. An adjustment to the setback is requested through both this Chapter as well as Chapter 17.62.055.D.1, which allows an expanded setback when certain amenities are provided at the site to mitigate for the impact of the expanded setback. In the proposed development a number of mitigating amenities are proposed, including outdoor pavilions in the form of pedestrian plazas, enhanced landscaping with planter boxes and grasses within the plazas and enhanced architectural features such as pergolas and arcades. These items mitigate the impact of the proposed expanded setback.”

**Finding: Complies with Conditions.** Staff concurs that it is not practicable to locate a building of the size proposed within 5' of the property line due to presence of the storm sewer easement. With the phasing plan proposed by the applicant and the design of the internal private street grid, the plaza designs, and the placement of retail shops oriented towards Molalla Avenue and Beaver Creek Road provide the sufficient mitigation to meet the intent of the code.

Staff has proposed a Condition of Approval to provide specific additional mitigations to address the rooflines and the southeast pedestrian plaza.

The applicant shall revise the southeast Beaver Creek Road Plaza to include a minimum of 4 elements from the list in OCMC 17.62.055.D.1.(a-i). This may include the addition of sculpture and public art or other features that activate the plaza and make it a useable pedestrian amenity area, or other elements as approved by the Planning Commission.

**Applicant can assure this standard is met through Condition of Approval 9.**

**Adjustment 2. The applicant has requested an adjustment to locate parking in front of the building.**

**17.62.050.A.2.a – Vehicular Access and Connectivity.**

*Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.*

**Applicant's Response:**

“The applicant seeks an adjustment to this standard, which requires parking to be located behind buildings, below buildings or on one or both sides of buildings. The proposed project does provide parking behind and on the sides of the new building, however, the proposed project also proposes a small parking field in the Beaver Creek Road front of the building. This parking area is proposed as a way to utilize an area of the site that is constrained from development due to a city sewer easement. The only practical use of this property is for landscaping, parking and a pedestrian plaza. The applicant proposes all three uses within the area and as such, a small amount of parking will occur in front of the building along Beaver Creek. This is mitigated by the additional public amenities in the area as well as the internal private street grid, which provides for an urban pedestrian oriented streetscape throughout the site as discussed thoroughly herein.”

**Finding: Complies with Conditions.** Staff concurs that there is no way a building the size of the proposed grocery store can be practicably placed within 5' of the property line due to presence of the storm sewer easement, however additional pedestrian amenity features should be required in the front yard setback area. The applicant shall revise the southeast Beaver Creek Road Plaza to include a minimum of 4 elements from the list in OCMC 17.62.055.D.1.(a-i). This may include the addition of sculpture and public art or other features that activate the plaza and make it a useable pedestrian amenity area, or other elements as approved by the Planning Commission.

Additionally, the applicant has proposed orientation of the main building toward the interior private street system. Therefore, in order to further the intent of this section, the private street system should be designed to provide the same or better level of pedestrian and vehicular access and connectivity as would a public street system.

To improve pedestrian and vehicular connectivity through the site in compliance with OCMC 17.52.070, OCMC 17.62.050.A.8 and A.9, meet the intent of Oregon City's adopted street standards, and provide a complete urban street design and level of service, the applicant shall construct or extend the proposed NS and EW private streets referred to as "EW" Street running east-west from the McDonalds intersection at Molalla Avenue and the "NS" Street running north-south from the Beavercreek Road signalized intersection to Warner Milne Road to achieve the following design objectives:

- a. Minimize vehicular backing movements into the main drive aisles;
- b. Separate vehicle and pedestrian access;
- c. Provide complete pedestrian connections on both sides of the drive aisles to the extent practicable; and
- d. Provide trees and landscaping that complies with OCMC 17.52.

**Applicant can assure this standard is met through Condition of Approval 3 and 9.**

**Adjustment 3. Applicant has requested that the primary grocery store façade orient away from the street.**

*17.62.055.D.2. The front façade shall be oriented toward the street and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.*

**Applicant's Response:**

"There are three main facades to the two new buildings. Although there are two new buildings, because they are contiguous for purposes of the code requirements they function as a single building. Of the three building faces, one side faces the interior street grid, one side faces Molalla and one side faces Beavercreek. Because the anchor tenant building's primary façade faces the interior street grid, the applicant seeks an adjustment to this criteria. The impact of the adjustment is mitigated by the other two front facades and enhancements to their orientation through contiguous sidewalk pedestrian connections and two pedestrian plazas activating the Beavercreek façade. The applicant suggests that this configuration providing the in-line retail shops oriented toward Beavercreek Road satisfies the relevant criterion and this concept is explored in great detail above in Section 17.62.080.C.1.b and 17.62.055.D.2. However, if the City staff feels the criterion relates to the Safeway entrance alone, then the applicant also seeks an adjustment to the criterion in the alternative. The orientation of the Safeway entrance is mitigated by the internal private street grid and the enhancements and building facades along Beavercreek Road."

**Finding: Complies with Conditions.** This standard was recently revised by the City Commission since the application was submitted in order to clarify that "the front most architecturally significant façade shall be oriented toward the street". The south elevation of the building as proposed is not the most architecturally significant. The north elevation includes two prominent entrance ways with slope roof forms and large peaked roofs over the dual entrances.

The Planning Commission should determine whether the mitigation proposed by the applicant is adequate to support this adjustment.

Staff recommends that the Planning Commission require additional amenity features and mitigation. The applicant shall revise the southeast Beaver Creek Road Plaza to include a minimum of 4 elements from the list in OCMC 17.62.055.D.1.(a-i). This may include the addition of sculpture and public art or other features that activate the plaza and make it a useable pedestrian amenity area, or other elements as approved by the Planning Commission. **Applicant can meet this standard through Condition of Approval 9.**

**Adjustment 4. – Primary entranceway not facing the major street.**

*17.62.055.D.3. Entryways. The primary entranceway for each commercial or retail establishment shall face the major street. The entrance may be recessed behind the property line a maximum of five feet unless a larger setback is approved pursuant to Section 17.62.055.D.1 and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined, highly visible and recessed or framed by a sheltering element including at least four of the following elements, listed below:*

**Applicant’s Response:**

“The entranceways to all building entrances are framed by the elements required in this section of the code and face either Beaver Creek or the internal private street grid. As explained in great detail above throughout the application and in particular in Sections 17.62.080.C.1.b and 17.62.055.D.3, the use of the street grid provides the same result as required by this standard by creating multiple accessible and visually capturing active entranceways to the project that connect directly to transit (through either direct Beaver Creek Road access or the internal private street grid). The applicant suggests that through the use of one of the main entryways along Beaver Creek Road, the applicant has satisfied this criterion and then gone a step further to provide the same active connection through the internal private street grid. However, if the City staff finds the criterion relates solely to the Safeway entrance, then the applicant also seeks an adjustment to the criterion in the alternative. The orientation of the entryway of Safeway is mitigated by the internal private street and the active interior of the site which connects directly to all the major streets adjacent to the site.”

**Finding: Complies with Conditions.** This standard requires that **each** commercial establishment shall face the major street. The Planning Commission should determine whether the mitigation proposed by the applicant in the design of the in-line retail and plaza is adequate to support this adjustment. The applicant shall revise the southeast Beaver Creek Road Plaza to include a minimum of 4 elements from the list in OCMC 17.62.055.D.1.(a-i). This may include the addition of sculpture and public art or other features that activate the plaza and make it a useable pedestrian amenity area, or other elements as approved by the Planning Commission. **Applicant can meet this standard through Condition of Approval 9.**

**Adjustment 5. – less than 60% of the buildings are located within five feet of the property line.**

*17.62.055.C.5 – Sixty percent of buildings with 100 feet or more of Frontage are required to be within five feet of the property line.*

**Applicant’s Response:**

“Existing development along Warner Milne Road and Molalla Avenue as well as a City easement and natural resource protection area along Beaver Creek Road preclude buildings being within 5 feet of frontage. Through the use of connections to Beaver Creek and Molalla Avenue, the applicant has mitigated the impacts of the setback adjustment as discussed above in paragraph I of this section.”

**Finding: Complies with Conditions.** Staff concurs that it is not practicable to place the building closer to the property line. The Planning Commission should determine whether the mitigation proposed by the applicant in the use of connections to Beaver Creek Road and Molalla Avenue is adequate to support this adjustment.

Staff recommends that the Planning Commission require additional amenity features and mitigation. The applicant should revise the Beaver Creek Road Elevations and Plaza Areas to include not only materials. The applicant shall revise the southeast Beaver Creek Road Plaza to include a minimum of 4 elements from the list in OCMC 17.62.055.D.1.(a-i). This may include the addition of sculpture and public art or other features that activate the plaza and make it a useable pedestrian amenity area, or other elements as approved by the Planning Commission. **Applicant can assure this standard is met through Condition of Approval 9.**

**Adjustment 6. – No main building entrances facing transit street.**

*17.62.080 – Special Development standards along transit streets.  
All buildings shall have at least one main building entrance oriented towards the transit street.  
Building façades over three hundred feet in length require two or more main building entrances oriented towards the transit street. Main building entrances shall be well lighted and visible from the transit street.*

**Applicant’s Response:**

“Because of the site constraints (existing development and sewer easement) the applicant has three non traditional connections to two adjacent transit streets. The applicant believes that the non-traditional connections meet the applicable criteria by providing a direct connection from the transit street to one of the main building entrances, as required in Section 17.62.080. Please see a more detailed description above in Section 17.62.080.C.1.b above. However, in the alternative, the applicant seeks an adjustment to this standard due to the site constraints discussed above and as mitigated by the enhanced pedestrian connections, also discussed herein.”

**Finding: Complies with Conditions.** The Planning Commission should determine whether the mitigation proposed by the applicant in the form of enhanced pedestrian connections is adequate to support this adjustment. Staff recommends that additional pedestrian amenity features should be required in the front yard setback along Beaver Creek Road. **Applicant can assure this standard is met through Condition of Approval 9.**

*B. Procedure. Requests for adjustments shall be processed concurrently with a general development plan. An adjustment request at the detailed development plan review shall cause the detailed development plan to be reviewed as a Type III application.*

**Finding:** The applicant provided a detailed response to this standard. The applicant understands that request for adjustments will be processed concurrently with the General Development Plan.



C. Regulations That May Not be Adjusted. Adjustments are prohibited for the following items:

1. To allow a primary or accessory use that is not allowed by the regulations;
2. To any regulation that contains the word "prohibited";
3. As an exception to a threshold review, such as a Type III review process; and
4. Any exception to allow a use not identified as a permitted or conditional use in the underlying zone.

**Finding: Complies.** The applicant provided a detailed response to this standard. The applicant is not requesting an adjustment for any of the prohibited items mentioned above.

### **17.65.070(D).1. MASTER PLAN APPROVAL CRITERIA FOR ADJUSTMENTS**

**D. Approval Criteria.** A request for an adjustment to one or more applicable development regulations under this section shall be approved if the review body finds that the applicant has shown the following criteria to be met.

1. Granting the adjustment will equally or better meet the purpose of the regulation to be modified;

**Finding: Complies with Conditions.** The intent and purpose statements for each applicable regulation for which adjustment is sought are provided below. The Planning Commission should determine whether granting the adjustments will equally or better meet the purpose of the regulation. **The applicant can assure this standard is met through compliance with the conditions of approval attached to this Staff Report.**

The applicant states:

“The adjustments sought herein are all provided with significant mitigation measures. Each adjustment relates to the unique configuration of the site and the site constraints that do not allow siting of the new building directly along Beavercreek Road and the entrance of the anchor tenant oriented toward Beavercreek Road. This is discussed in detail in the history and project overview above. All of the standards being adjusted are intended to provide an urban pedestrian oriented streetscape on the site. To ensure that an urban pedestrian-oriented streetscape is created on the site despite the adjustments being sought, the applicant is providing significant mitigation to offset the effects of the adjustments. Specifically, the applicant has provided an urban scale internal private street grid that breaks the large site into smaller blocks and provides an urban frontage in the interior of the site. The result is a reasonably walkable area with pedestrian connections from the transit street that mimic the size and walkability of a downtown block in Oregon City. Furthermore, the applicant has also enhanced the Beavercreek frontage to create the effect of an urban environment within a larger setback by providing multiple pedestrian connections and two pedestrian plazas in the area to provide an active urban environment. The affect of the adjustments is to create multiple frontages on the new building that create multiple active pedestrian urban areas. The outcome is a site design that better meets the intent of the code by providing not just a single urban frontage but multiple site frontages well connected to both an internal private street and the adjacent transit streets.”

The purposes of the code sections that the applicant has sought adjustments to are listed below.

Adjustment	Code	Purpose
1.	17.32.050 (E) – Maximum Allowed	17.32.010 - Designated. Uses in the general commercial district are designed to serve the

	Setbacks	city and the surrounding area. Land uses are characterized by a wide variety of establishments such as retail, service, office, multi-family residential, lodging, recreation and meeting facilities or a similar use as defined by the community development director.
2.	17.62.050(A)(2)(a) – Parking behind, below or to the side of buildings.	17.62.010 - Purpose. The purposes of site plan and design review are to: encourage site planning in advance of construction; protect lives and property from potential adverse impacts of development; consider natural or man-made hazards which may impose limitations on development; conserve the city's natural beauty and visual character and minimize adverse impacts of development on the natural environment as much as is reasonably practicable; assure that development is supported with necessary public facilities and services; ensure that structures and other improvements are properly related to their sites and to surrounding sites and structure; and implement the city's comprehensive plan and land use regulations with respect to development standards and policies.
3.	17.62.055(C)(5) – Place majority of buildings within 5' of property line.	17.62.055 - Institutional and commercial building standards. A. Purpose. The primary objective of the regulations contained in this section is to provide a range of design choices that promote creative, functional, and cohesive development that is compatible with surrounding areas. Buildings approved through this process are intended to serve multiple tenants over the life of the building, and are not intended for a one-time occupant. The standards encourage people to spend time in the area, which also provides safety through informal surveillance. Finally, this section is intended to promote the design of an urban environment that is built to human scale by creating buildings and streets that are attractive to pedestrians, create a sense of enclosure, provide activity and interest at the intersection of the public and private spaces, while also accommodating vehicular movement.
4.	17.62.055(D)(2) - Front façade toward street	
5.	17.62.055(D)(3) – Primary Entranceway toward street.	
6.	17.62.080(C)(1) – At least one main entrance toward transit street.	17.62.080 - Special development standards along transit streets. A. Purpose. This section is intended to provide direct and convenient pedestrian access to retail, office and institutional buildings from public sidewalks and transit facilities and to promote pedestrian and transit travel to commercial and institutional facilities.

As outlined above, the applicant has proposed mitigation that meets the intent of the requirements being adjusted or can meet the intent as conditioned.

*2. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project that is still consistent with the overall purpose of the zone;*

**Finding: Complies with Conditions.** Staff finds that the requested adjustments result in a project that is still consistent with the overall purpose of the zone and the applicant can assure this standard is met through compliance with the conditions of approval attached to this Staff Report. The Planning Commission should determine whether the mitigations proposed by the applicant are adequate to support the cumulative effect of the adjustments. The series of adjustments sought mainly apply to the south street frontage along Beaver Creek Road. The applicant states that:

“Taken as a whole, the cumulative effect of the adjustments is minimal because they are thoroughly mitigated with the urban pedestrian scale enhancements along Beaver Creek and the internal private street grid. Through these mitigation measures the project is consistent with the purpose of the General Commercial zone, which provides an urban streetscape project that is pedestrian oriented and provides a heightened sense of place and urban activity throughout the large site. The landscape adjustment is unrelated to the Beaver Creek Road frontage and is a minor variation from the code criteria. No additional cumulative effect is caused by the landscape adjustment.”

3. City designated Goal 5 resources are protected to the extent otherwise required by Title 17;

**Finding: Complies with Conditions.** There is one Goal 5 resource within the boundary of the site, a wetland that is delineated on the City’s Natural Resource Overlay District Map. The waterway existing on the east side of the project boundary is an inventoried wetland. This resource will be protected through the applicant’s development plan. In Section 17.49 herein, there is a detailed explanation of how the resource is protected. The mitigation plan proposed by the applicant enhances and expands the vegetative buffer. The applicant’s wetland delineation and mitigation plan has been reviewed by the city’s wetland consultant, David Evans and Associates (Exhibit 13), who have recommended specific conditions of approval regarding the delineation. Therefore, the General Development Plan will adequately protect existing Goal 5 resources (the waterway) within the boundaries of the site. **Applicant can assure this standard is met through Condition of Approval 11-13.**

4. Any impacts resulting from the adjustment are mitigated; and

**Finding: Complies with Conditions.** Staff finds that the impacts from the adjustments have been mitigated with the conditions of approval attached to this Staff Report. The Planning Commission should determine whether the mitigations proposed by the applicant are adequate to support the cumulative effect of the adjustments.

Staff recommends that the applicant provide additional mitigation. **Applicant can assure this standard is met through the Conditions of Approval attached to this Staff Report.**

5. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.

**Finding: Complies.** The site plan and design review adjustments sought do not detrimentally affect the Natural Resource Overlay District.

6. The proposed adjustment is consistent with the Oregon City Comprehensive Plan and ancillary documents.

**Finding: Complies with Conditions.** The applicant can assure this standard is met through compliance with the conditions of approval attached to this Staff Report. The applicant provided a detailed response to this standard. The proposed adjustments, as conditioned, are consistent with the applicable goals of the Oregon City Comprehensive Plan as detailed below.

### **Section 1 Citizen Involvement**

*Goal 1.1 – Citizen Involvement Program. Implement a Citizen Involvement Program that will provide an active and systematic process for citizen participation in all phases of the land-use decision making process to enable citizens to consider and act upon a broad range of issues affecting the livability, community sustainability and quality of neighborhoods and the community as a whole.*

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. The project has sought significant community input through meetings with the Hillendale neighborhood association. In particular, the applicant has discussed the adjustments sought with the Hillendale neighborhood association and received input from the neighborhood association regarding the adjustments sought. The neighborhood has formally stated its support for the project, including the requested adjustments. This type of community involvement is exactly the type of engagement encouraged by Goal 1.1 of the Comprehensive Plan. Additionally, further public input will be provided through one or more public hearings regarding the application. The proposed adjustments are consistent with Goal 1.1 of the Comprehensive Plan.

*Goal 1.4 – Community Involvement. Community Involvement. Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation of policies.*

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. Community involvement has been provided for in the General Development Plan including a review of the adjustments as discussed above. Additionally, public notice was provided to the general public and affected citizens and this notice shall provide information related to the application and related adjustments. The proposed adjustments are consistent with Goal 1.4 of the Comprehensive Plan.

*Goal 1.5 – Government/Community Relations. Provide a framework for facilitating open, two-way communication between City representatives and individuals, groups, and communities.*

**Finding: Complies with Conditions.** Through the application process the applicant has utilized the City’s framework of both informal and formal meetings with City representatives to communicate regarding the adjustments sought. The proposed adjustments are consistent with Goal 1.5 of the Comprehensive Plan.

## **Section 2. Land Use.**

*Goal 2.1 – Efficient Use of Land. Ensure that property planned for residential, commercial, office, and industrial uses is used efficiently and that land is developed following principles of sustainable development.*

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. According to the applicant, “the subject property is planned for commercial uses according to the Oregon City planning documents. The proposed adjustments are vital to ensuring that the property is redeveloped at this time and will be used for commercial purposes. Furthermore, the layout of the buildings on the subject property provides that the maximum amount of land is utilized to provide commercial uses in an efficient and sustainable manner. Not only are the adjustments consistent with this Goal, but they are integral to the ability to use the property efficiently. Without the adjustments, the property would be left unused in a large portion of the interior with no activation. The adjustments are absolutely necessary to allow the use of a series of pedestrian plazas and an interconnected street grid that allow the entire 20 acre site to be utilized for efficient commercial development. Furthermore, the project includes buildings built for long-term use that are served by ample parking and utilizing sustainable landscape practices. All of which is made possible by the landscaping adjustments. The General Development Plan is consistent with Goal 2.1 of the Comprehensive Plan.”

*Goal 2.3 – Corridors. Focus transit-oriented, higher intensity, mixed-use development along selected transit corridors.*

**Finding: Complies with Conditions.** Molalla Avenue and Beavercreek Road are transit streets. The entirety of the Molalla Avenue transit corridor is currently built-out with existing development. The adjustments allow for the redevelopment to connect to Molalla Avenue and Beavercreek Road through a pedestrian plaza and building orientation on the site.

*Goal 2.4 – Neighborhood Livability. Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of other sections of the Comprehensive Plan.*

**Finding: Complies with Conditions.** The redevelopment of Hilltop Shopping Center will create a sense of place and identity in the Hilltop area. The project will provide multiple pedestrian plazas that create a sense of place and provide areas where citizens can gather. The Hilltop area has long been served by commercial services on this site, including a grocery store, and this redevelopment ensures a long future for the continued availability of a valuable neighborhood services. The proposed adjustments allow for the redevelopment to provide a gathering place for local residents and visitors through the use of the internal private street grid.

*Goal 2.5 – Retail and Neighborhood Commercial. Encourage the provision of appropriately scaled services to neighborhoods.*

**Finding: Complies with Conditions.** The scale of the proposed development plan is appropriate to the surrounding neighborhoods. As the Hilltop area, adjacent Red Soils Campus, and the Molalla Avenue Mixed Use corridor continues to re-develop, the location of the Hilltop Mall will become more important. Additionally, this project encourages the expansion of existing business through infill development. The new development improves the aesthetic character of this commercial area and takes an existing commercial development and modernizes it both in look, use and landscaping techniques.

### **Section 6 – Quality of Air, Water and Land Resources.**

*Goal 6.1 – Air Quality. Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping and education.*

**Finding: Complies with Conditions.** The applicant indicates that the proposed project uses a land-use pattern that creates denser development in an existing urban area that serves a close-in population. The development pattern also makes strong connections to local transit and provides pedestrian and bicycle oriented amenities. The project provides valuable Grocery services and other retail services and employment to nearby residents.

*Goal 6.2 – Water Quality. Control erosion and sedimentation associated with construction and development activities to protect water quality.*

**Finding: Complies with Conditions.** Erosion control and sedimentation measures shall be in compliance with OCMC 17.47.

### **Section 12 Transportation.**

*Goal 12.1 – Land Use-Transportation Connection. Ensure that the mutually supportive nature of land use and transportation is recognized in planning for the future of Oregon City.*

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. The proposed adjustments help to create a project that incorporates the applicable policies of this Goal (policies 12.1.1, 12.1.2, and 12.1.3) into the project. Specifically, the project proposes multi-modal connections to the site allowing for vehicular, transit, pedestrian and bicycle access to the redevelopment through both perimeter connections and the interior street grid. The proposed and existing intense commercial uses support the Molalla Avenue transit corridor and the surrounding major arterials, optimizing the land use-transportation connections surrounding the site. Finally, this commercial development is well situated within Oregon City to serve a variety of residential neighborhoods, including higher density residential neighborhoods. The proposed adjustments allow the internal private street grid, which makes strong land use-transportation connections. The landscaping adjustments do not impact this goal. The adjustments are consistent with Goal 12.1 of the Comprehensive Plan.

*Goal 12.2 – Local and Regional Transit. Promote regional mass transit (South Corridor bus, Bus Rapid Transit, and light rail) that will serve Oregon City.*

**Finding: Complies with Conditions.** The applicant provided a detailed response to this standard. The adjustments are consistent with strong connections to transit through pedestrian connections to Beaver Creek Road at a designated transit stop and to Molalla Avenue, a transit corridor. The site is well served by transit connections both regionally and locally focused and connected to the site through the three pedestrian plazas. The landscaping adjustments do not impact this goal. The adjustments consistent with Goal 12.2 of the Comprehensive Plan.

*Goal 12.3 – Multi-Modal Travel Options. Develop and maintain a transportation system that provides and encourages a variety of multi-modal travel options to meet the mobility needs of all Oregon City residents.*

**Finding: Complies with Conditions.** The applicant states that the adjustments allow enhanced multi-modal travel options, including pedestrian, mass transit, bicycle and vehicular traffic.

Vehicular traffic can access the site in multiple locations that all connect to an internal private street grid that allows for fully connected vehicular drive aisles to each of the transit streets surrounding the site.

*Goal 12.5 – Safety. Develop and maintain a transportation system that is safe.*

**Finding: Complies with Conditions.** The applicant states that the adjustments are necessary to create the internal traffic improvements that promote increased efficiencies and safety at intersections both within and adjacent to the site. All vehicular, bicycle and pedestrian crossings are marked through the use of texture changes and/or grade changes to alert the users of pedestrian crossings. These improvements promote enhanced safety to the Oregon City transportation system.

*Goal 12.6 – Capacity. Develop and maintain a transportation system that has enough capacity to meet users' needs.*

**Finding: Complies with Conditions.** The applicant has provided a Transportation Impact Analysis that finds the transportation system has sufficient capacity to meet users' needs taking into account the impacts of the General Development Plan with the conditions of approval as proposed by staff. Minimal improvements are needed and all improvements are identified in the TIA and are

being incorporated into the project. The system will continue to serve existing and projected travel needs.

*Goal 12.7 – Sustainable Approach. Promote a transportation system that supports sustainable practices.*

**Finding: Complies with Conditions.** The project supports sustainable practices by providing local grocery and other service retail opportunities to the adjacent neighborhoods. The site design as proposed includes sustainable elements through the use of street trees, high quality construction materials providing a long life cycle and through the support and encouragement of multi-modal transportation links that limit vehicular traffic to and from the site.

*Goal 12.8 – Implementation and Funding. Identify and implement needed transportation system improvements using available funding.*

**Finding: Complies with Conditions.** The applicant has identified the needed transportation system improvements that are required over the life of the General Development Plan.

## CONCLUSION AND RECOMMENDATION

### REVIEW CONSIDERATIONS

The applicant has stated throughout the application that it is the existing development patterns of the site, ground lease agreements, storm sewer easement, and the design of the internal private street system that drive the need for the requested code adjustments. The Planning Commission should evaluate the application and determine whether the proposal, adjustments and the proposed mitigations meet the intent of the Oregon City Municipal Code.

### RECOMMENDATION

The Planning Commission may make one of the following decisions regarding the application: Approval, Approval with Conditions, or Denial.

1. If the Planning Commission determines that the application has met all of the applicable approval criteria and no conditions are needed, they should approve the application.
2. If the Planning Commission determines that the application can meet all of the applicable approval criteria with the recommended conditions by staff, or can meet the application with additional conditions as amended by the Planning Commission, they should Approve the application with Conditions.
3. If the Planning Commission determines that the application has not met the applicable approval criteria, and cannot be conditioned to meet the applicable approval criteria, they should deny the application.

Staff finds that the application as proposed can meet all of the applicable approval criteria in the Oregon City Municipal Code as detailed in this Staff Report with the Attached Conditions of Approval.

Staff therefore recommends Approval of the application with the attached Conditions of Approval, for the Approval of a Master Development Plan, Detailed Development Plan and Natural Resource



Overlay District Review for Redevelopment of the Hilltop Mall, including a new Grocery Store and Retail, Parking Lot and Associated Improvements, for the property addressed as 1500 Molalla Avenue, and identified as Oregon City Clackamas County Map 3-2E-5E, Tax Lots 200, 203, 204, 205, 206, and 300.

## EXHIBITS

**\*On File** – Items listed as “On File” may be reviewed in the complete land use application folder at the Planning division.

1. Vicinity Map
2. Land Use Application
3. Responses to Code Criteria
4. Site Plans – Revision Date 10-14-2010
  - a. CS - Cover Sheet
  - b. C1.0 - Aerial Photo
  - c. C2.0 – Existing Conditions
  - d. C3.0 – General Development Plan
  - e. C4.0 – Preliminary Site Circulation
  - f. C5.0 – Detailed Development Plan
  - g. C6.0 – Preliminary Grading and Erosion Control
  - h. C7.0 – Preliminary Composite Utility Plan
  - i. C8.0 – Preliminary Construction Management Plan
  - j. TP1.0 – Preliminary Tree Preservation Plan
  - k. L1.0 – Landscape Plan – Overall
  - l. L2.0, L3.0, L4.0, L5.0 - Partial Landscape Plans
  - m. A1.0 – Overall Master Site Plan
  - n. A1.1 – Proposed Plaza Plan – (North elevation)
  - o. A1.2 – Enlarged Building Plan
  - p. A1.3 – Enlarged Plaza Plan – NE corner, SE and SW corners (Beavercreek Road).
  - q. A2.2 – Proposed Elevations – Safeway Detail
  - r. A2.3 – Proposed Elevations – Full
  - s. LT1.0, LT1.1, LT1.2 - Lighting Plans
  - t. EX1.0 – Pedestrian Connectivity – Existing and Proposed
  - u. EX2.0 – Landscaping Areas – Existing and Proposed
  - v. EX2.1 – Landscaping Areas – Detailed Development Plan Only
5. Appendices – **On File\***
6. Transportation Impact Analysis (TIA), prepared by Kittelson and Associates, Inc., June 2010 – Executive Summary (Full Report is **On File\***)
7. Review of TIA, prepared by John Replinger, P.E., 10/14/2010.
8. Pre-application Conference Summary Notes
9. Public Comments
  - a. Letter regarding landscaping, hardscaping, aesthetics, and other issues, Hillendale Neighborhood Association, William Gifford, Land Use Chair, September 27, 2010
  - b. Letter of support, Hillendale Neighborhood Association, William Gifford, Land Use Chair, July 19, 2010.
10. Comments of Police Chief (No Conflicts)
11. Applicants NROD Site Assessment / Wetland Determination, prepared by Environmental Science and Assessment, LLC, 6/10/2010.
12. Follow-up Response to Completeness Comments, Environmental Science and Assessment, LLC, August 13, 2010.
13. Review of Applicant’s NROD application, by Alex Dupey, AICP and Ethan Rosenthal, David Evans and Associates, Inc., October 1, 2010.
14. Exterior Materials Boards – Safeway and In-Line Retail
15. Lighting Specifications

16. Letter from Jill R. Long, Attorney, Lane Powell PC, 10/8/2010, explaining parking lot landscaping revisions.
17. Public Comments in Support (11)
  - a. Derrick Beneville
  - b. Marvin and Bonnie Busby
  - c. Rachel Gunderson
  - d. Mary Herbst
  - e. Diane and Jim McKnight
  - f. Joan Schultze
  - g. Kathleen Lane
  - h. Jamie Snook
  - i. Lacey Prueitt
  - j. Angela Sroufe
  - k. Susan Werner
18. NROD Letter from ESA, dated 10/20/2010.
19. Applicant's PowerPoint Presentation to the Planning Commission on October 25, 2010.
20. Jackie Hammond-William's Letter, 10/25/2010.
21. Continuance Request and 120-day Extension Letter from Mark Perniconi, C.E. John Company Inc., September 28, 2010. - **On-File\***
22. Comments from Tri-Met - **On-File\***
23. Comments from Jackie-Hammond Williams.
24. Staff Memo, Email and Attachment regarding Edible Landscaping,
25. Applicant's proposed Phasing Plan for Parking Lot Improvements, dated 10/28/2010.
26. Applicant's Revised Parking Lot Design, dated 10/29/2010.
27. Public Comment Cards from 10/25/2010 PC Public Hearing. **On-File\***

**RECOMMENDED CONDITIONS OF APPROVAL**

CP 10-01  
DP 10-02  
WR 10-03

**DEVELOPMENT SERVICES DIVISION**

1. The applicant is responsible for this project's compliance with The City's Engineering Policy 00-01. The policies pertain to any land use decision requiring the applicant to provide any public improvements.
2. The applicant shall sign a Non-Remonstrance Agreement for the purpose of making sanitary sewer, storm sewer, water or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement.

**Interior Street Design.**

3. To improve pedestrian and vehicular connectivity through the site in compliance with OCMC 17.52.070, OCMC 17.62.050.A.8 and A.9, meet the intent of Oregon City's adopted street standards, and provide a complete urban street design and level of service, the applicant shall construct or extend the proposed NS and EW private streets referred to as "EW" Street running east-west from the McDonalds intersection at Molalla Avenue and the "NS" Street running north-south from the Beaver Creek Road signalized intersection to Warner Milne Road to achieve the following design objectives:
  - a. Minimize vehicular backing movements into the main drive aisles;
  - b. Separate vehicle and pedestrian access;
  - c. Provide complete pedestrian connections on both sides of the drive aisles to the extent practicable; and
  - d. Provide trees and landscaping that complies with OCMC 17.52.

The improvements shall be triggered as follows:

1. Upon submittal of a site plan and design review application for site improvements pursuant to the approved phasing plan (Exhibit 25); or
  2. If redevelopment of a building, tenant improvement or exterior site improvement is proposed sooner than the time frame specified in the applicant's phasing plan with a cumulative value of \$100,000.00 or more (not including those items specifically exempted from this calculation per OCMC 17.58.040.C.2.a.(1)-(4)); the application shall be conditioned to contribute a proportional share of the total cost of the pedestrian, vehicular, parking lot and landscaping improvements required for the identified phase.
4. The Applicant shall follow the recommended improvements as outlined in the TIA and meeting the recommendations of the City's Transportation Consultant Replinger and Associates (Exhibit 7).
  5. The Applicant shall provide street trees as proposed and shall provide street tree covenant documentation as required.
  6. The Applicant shall provide stormwater quantity control (detention).

7. If the Applicant creates over 8,000 SF of new impervious surface, the Applicant shall provide stormwater quality control, so the Applicant shall confirm how much new impervious surface is being created, keeping in mind that this is cumulative over seven years.
8. Private stormwater facilities require the Applicant to provide the City with the prescribed Maintenance Covenant And Access Easement document.

### **PLANNING DIVISION**

#### **Beavercreek Road Southeast Plaza Improvements**

9. Prior to occupancy, the applicant shall revise the southeast Beavercreek Road plaza area to include a minimum of 4 elements from the list in OCMC 17.62.055.D.1.(a-i). This may include the addition of sculpture and public art or other features that activate the plaza and make it a useable pedestrian amenity area, or other elements as approved by the Planning Commission.

#### **Roofs**

10. Prior to issuance of a building permit, all roofs shall include at least two (2) of the roof form features listed in OCMC 17.62.056.D.1 (a) through (d) for all building elevations.

#### **Natural Resource Overlay District**

11. The Applicant shall submit a verifiable NROD boundary to meet the requirements of 17.49.250, pursuant to the Type I verification process provided in OCMC 17.49.255.
12. Prior to issuance of any construction or grading activities within the NROD portion of the site, the Applicant shall provide a maintenance and monitoring plan as required under 17.49.180(F) for review by the Community Development Director.
13. Prior to issuance of any construction or grading activities within the NROD portion of the site, the Applicant shall submit a Mitigation Plan Report that addresses 17.49.230. The Applicant shall document that any mitigation required by DSL and USACE as part of the removal/fill permit is also included in the Mitigation Plan Report.

#### **Parking Space Dimensions**

14. The applicant shall assure compliance with the applicable dimensional requirements of OCMC 17.52.030.E. for parking spaces and drive aisles.

#### **Transportation System Capacity Improvements**

15. At the time of Phase 3 site plan application, the Applicant shall provide a trip compliance letter for Phase 3 development. The trip compliance letter shall include:
  - a) An updated weekday a.m. and p.m. peak hour operational analysis of the Warner Milne/Leland Road/Leland Avenue intersection, including proposed mitigation measure(s) if needed to support Phase 3 site development;
  - b) Review of turn movement and pedestrian facilities associated with the site driveways in conjunction with the site plan application;
  - c) Review and confirmation that the Phase 3 trip generation consistent is with (or lower than) the Master Plan TIA assumptions; and

d) Review of the crash history and weekday a.m. and p.m. peak hour operational performance of the easterly access to Beaver Creek Road with Phase 3 buildout.

16. Based on the operational analysis provided by the applicant of the Warner Milne/Leland Road/Leland Avenue intersection the applicant shall, at the City's discretion, either
- a. contribute a proportional share of funding for the construction the appropriate improvements at the intersection of Warner Milne/Leland Avenue/Linn Avenue prior to receiving building permits related to the Phase 3 Detailed Development Plan; or
  - b. construct the appropriate improvements at the intersection of Warner Milne/Leland Avenue/Linn Avenue prior to occupancy related to the Phase 3 Detailed Development Plan.

The needed improvements shall be determined based on a revised traffic impact analysis that will be submitted at the time a development application is submitted when the proposed uses are known.

#### Street Trees

17. Prior to occupancy, the applicant is responsible for assuring that there are sufficient street trees planted along the Beaver Creek Road frontage. The site has approximately 1000 feet of public street frontage within the detailed development plan boundary on Beaver Creek Road.  $1000 \div 35 = 28$  street trees are required. Should spacing requirements or constrained planting areas require the planting of street trees on-site, the applicant shall provide a recorded document in a form approved by the city that designates the trees planted outside the right-of-way as public street trees. Street trees shall be calculated separately from and in addition to: interior and perimeter parking lot trees, landscaping trees that are not parking lot trees, and trees that are required as mitigation within the Natural Resource Overlay District. Additional street trees shall be required to be planted on-site, off-site or paid into the tree bank by fee-in-lieu pursuant to OCMC 12.08.015. Applicant shall provide a revised street tree plan and restrictive covenant for any street trees planted within the front yard setback in accordance with this section.

#### Mitigation Trees

18. The applicant shall provide a revised planting plan at the time of Construction Plan review indicating the location and species of all replacement trees within the General Development Plan Boundary. Applicant shall not grade or begin construction activities prior to verification by the Planning Division that adequate tree protection fences and measures have been installed pursuant to OCMC 17.41.130(B). All contractors working on the site shall receive a copy of Section 17.41.130(B) at the city pre-construction meeting. Mitigation trees shall be counted separately from and in addition to landscape trees, street trees, parking lot trees, and mitigation trees within the NROD buffer. A total of 42 new trees are required to be planted for mitigation purposes.

#### Revised Landscaping Plan

19. The applicant has provided a revised parking lot plan indicating compliance with this section (Exhibit 26). Prior to occupancy, the applicant shall provide a revised landscaping plan for review and approval by the Community Development Director that incorporate the most recent revisions.

Tri-Met Bus Stop on Beaver Creek Road

20. The applicant shall coordinate with the Tri-Met at the time the final construction plans are submitted to the Development Services Division to ensure that the design and location of the Tri-met stop on Beaver Creek Road meets City and Tri-Met standards.

Transparency on West Elevation

21. The applicant shall assure that transparency at the pedestrian level on the west meets the 30% minimum transparency requirements of OCMC 17.62.055.(1) False windows on the truck bay screening wall may be used to meet this requirement.

Mechanical Equipment Screening

22. Prior to issuance of a building permit, in the event that additional screening of rooftop mechanical equipment may be required, the applicant shall prepare a line-of-sight drawing for review by the Community Development Director that provides additional screening for any rooftop mechanical equipment independent of the main roof parapet through the use of a secondary parapet or screen wall.

Lighting Standards and Fixtures

23. Prior to approval by the Planning Commission, the applicant has not provided lighting fixture specifications for the pedestrian scale lighting. Applicant shall provide this information.

Refuse and Recycling

24. Prior to issuance of a building permit, the applicant shall provide a refuse and recycling plan in conformance with 17.62.085 for the detailed development plan portion of the site. Refuse and recycling locations shall be designed for their intended use and shall not displace required off-street parking without the approval of the Community Development Director.

Lot Line Adjustment

25. In the event that the Coffee Rush building is not re-located the applicant shall submit a line adjustment / abandonment request to relocate the property line to that it does not bisect the building.



**Pete Walter**

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**From:** Derrick Beneville [benevilled@comcast.net]  
**Sent:** Sunday, October 24, 2010 3:24 PM  
**To:** Pete Walter  
**Cc:** William Gifford; RBSUZUKI@aol.com  
**Subject:** GLNA review comments of Latest Revisions to Safeway Store at Hilltop Mall

Pete,

I have reviewed the latest revisions to the Safeway Store at Hilltop Mall per your letter dated October 19, 2010 and we take no issues to the most current revisions shown. In fact it looks like a wonderful building that will provide a much needed appeal to the Hilltop Mall and surrounding businesses.

I would like to mention that we are quite surprised on how long the process has taken. I'm sure it had a lot to do with lease agreements, but the old building has been sitting their vacant for quite some time and what use to be an active business area in our community just sits there in a blight condition. We encourage both the City of Oregon City and the Business Partners to expedite the final design and issuance of building permit so we can start to see progress on a project that will be a wonderful asset to this community.

It is also my understanding that this plan was also presented at the most recent GLNA meeting which I unfortunately could not attend. William Gifford who chaired this meeting might be able to provide additional comments made from those who attended the meeting.

Sincerely,

Derrick Beneville  
Land Use Chair  
Gaffney Lane NA

Hilltop Mall Addition

Application # CP10-01/DP 10-02/ WR 10-03

This will be a great addition to Oregon City and the Hilltop Mall area for the following reasons.

1. Put many people in need of work to work to help the support our community.
2. This will increase our revenue through taxes of the new business.
3. Safeway is a proven quality business in other communities. They should not fail like some of the other investments this city has invested in.
4. This should be a big win for Oregon City and all the people. With the loss of Danielson's revenue we will now get it back through the new Safeway Mall.
5. Danielson's has been a great loss for my wife and I. This was a convenient store for us to get in and out of quickly for groceries and to get prescriptions filled. The traffic going south on Molalla avenue and going east on Beaver creek Road to get to any other store has been increasing each year. We also have an over flow of cars in the Fred Meyers and Berry Hill Shopping areas. With the addition of this business this may reduce the amount of traffic on these roads.

Marvin And Bonnie Busby

**Pete Walter**

---

**From:** Rachel\_Gunderson@KeyBank.com  
**Sent:** Monday, October 25, 2010 10:58 AM  
**To:** Pete Walter  
**Cc:** carol@danielsons.net; ctd@danielsons.net  
**Subject:** Applications: CP 10-01 / DP 10-02 / WR 10-03

Pete,

I am in full support of the redevelopment of the Hilltop Mall. It will bring more customers in to this area which will help all of the neighboring businesses including ours.

Thank you,  
Rachel A Gunderson  
Assistant Vice President  
Branch Manager - Hilltop KeyCenter  
(503) 723-4545

Email Classification: KeyCorp Public

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If you prefer not to receive future e-mail offers for products or services from Key send an e-mail to <mailto:DNERequests@key.com> with 'No Promotional E-mails' in the SUBJECT line.

**Pete Walter**

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**From:** mhgtgng@canby.com  
**Sent:** Wednesday, October 20, 2010 8:23 PM  
**To:** Pete Walter  
**Subject:** Support for new Safeway Store in Oregon City

Pete,

I just wanted to send you a quick note as a business owner in Oregon City for the past 31 years, tomorrow as a matter of fact. This is no small feat, and I have seen a variety of economic conditions, today's environment has been one of the toughest. A new Safeway store at the site of the old Danielsons store would not only improve the vitality of the community, but would certainly help bring customers to my small business. Anything you can do to help speed up this process would be greatly appreciated. Thanks for taking the time to read my note. The application #'s for the new store are CP 10-01/ DP 10-02 and WR 10-03. Thanks again.

Sincerely;  
Mary Herbst  
Herbst Hilltop Florist Inc.  
503-655-5450

**Pete Walter**

---

**From:** jdmcknight2@juno.com  
**Sent:** Wednesday, October 20, 2010 1:31 PM  
**To:** Pete Walter; carol@danielson.net; ctd@danielsons.net  
**Subject:** A;;lication numbers CP 10-01 / DP 10-02 / WR 10-03

Mr. Walter,

We are writing to express our support for the redevelopment project at Hilltop Mall, Application numbers CP 10-01 / DP 10-02 / WR 10-03. We are pleased about the revitalization of the Hilltop area with new retail spaces and, of course, a new Safeway. Our support is mainly for the Danielson family, however, who have been mainstays in this community for many years. Not only have they maintained an attractive, convenient locally owned shopping area, they have always contributed back to the community in many different ways. The family never said no to a good cause. Their involvement in the community is to be commended. We whole heartedly support this application.

Sincerely,

Diane & Jim McKnight  
161 Barclay Ave.  
Oregon City, Ore 97045

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**Mortgage Rates Hit 3.25%**

If you owe under \$729k you probably qualify for Obama's Refi Program  
[SeeRefinanceRates.com](http://SeeRefinanceRates.com)

**Pete Walter**

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**From:** Joan Schultze [joanschultze@comcast.net]  
**Sent:** Wednesday, October 20, 2010 9:03 PM  
**To:** Chris Taylor; Pete Walter  
**Subject:** CP10-01/DP10-02/WR10-03 danielsons Shopping Center

I am sending this to support the development of Danielsons Hilltop Shopping Center. I have listened to Mr Danielson speak and have seen the plans for the development. They are well thought out and the stores will be beneficial to the community.

As a former chairman of Gaffney Lane Neighborhood Association/Hillendale Association, I have had a bit of experience with land use and lend my support to this development. I am saying this as a citizen since I am no longer chair.

Respectfully,

Joan Schultze  
19413 Stillmeadow Drive  
Oregon City 97045  
(503) 657-3355

Mr. Pete Walter  
City of Oregon City  
Planning Division  
221 Molalla Avenue Suite 221  
P.O. Box 3040  
Oregon City, Ore 97045

2010 OCT 21 PM 2: 54

RECEIVED  
CITY OF OREGON CITY

Re. CP 10-1/DP 10-02/ WR 10-03

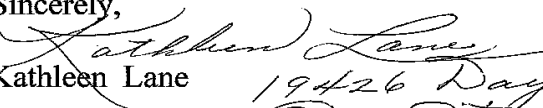
Dear Mr. Walter

I fully support a new grocery store in the Danielsons Shopping Center. I am a former owner of three different businesses in Danielson's Center. The Danielson's grocery store brought prosperity to all of the center. We were all taxpayers and hiring multiple employee's. This store will of course bring jobs to many people who are hurting for jobs plus give traffic to business who are already established.

Fred Myers is always busy and is proof of the need for another grocery store on the hill.

I'm sure all the Hilltop citizens will appreciate and support the new redevelopment of the Danielson Center.

Sincerely,

  
Kathleen Lane  
*19426 Daybrook Ct.  
Oregon City Ore  
97045*



**Pete Walter**

---

**From:** Jamie B. Snook [jamiesnook@msn.com]  
**Sent:** Thursday, October 21, 2010 9:58 AM  
**To:** Pete Walter  
**Subject:** CP 10-1 /DP 10-02 / WR 10-03

Dear Mr. Walter:

My name is Jamie B. Snook and I am the owner of the Oregon City Papa Murphy's located in the Hilltop Mall. I am passing along this email to extend my support of the redevelopment project in the Hilltop Mall. It is my understanding this will be presented for approval purposes on the 25th of October.

As you may or may not be aware our Papa Murphy's has been apart of the community for nearly two decades. We have been providing affordable meals to many of the citizens of Oregon City all throughout this time. With our unique ability to accept the Oregon Trail card, fortunately, we are able to accommodate every economic class within the city limits. However, most recently we have seen a considerable decline in our sales as a result of both Danielson's Grocery Store along with Hollywood Video closing. The center, quite frankly, has not been the same.

The redevelopment of the Danielson's Hilltop Mall has our full support and has been anxiously awaited. I understand there are numerous factors that contribute to a decision of this magnitude and I have full confidence in your ability to proceed in a manner that best represents the needs of the community as a whole.

I still wanted to take the time to voice my support and I am optimistic that with the approval of this redevelopment project that the mall can once again become a hub for the city. With your approval I fully anticipate increased foot traffic and overall activity levels within the mall to return to what we have become so accustomed to since relocating our business there in 1999.

Thank you for your time and attention to this matter.

Respectfully,

Jamie B. Snook  
President  
Xanadu Restaurant Management Inc.

**Pete Walter**

---

**From:** Lacey Prueitt [laceyprueitt@msn.com]  
**Sent:** Thursday, October 21, 2010 3:10 PM  
**To:** Pete Walter  
**Subject:** Hilltop redevelopment

Dear Mr. Walter,

I am writing in regards to the redevelopment project for the Hilltop Mall. As an owner of two businesses in Oregon City I am in strong favor of going forward with the redevelopment! I would love to see more traffic in the Hilltop Mall.

Thank You,  
Lacey

Stella & Dot Stylist  
503-516-1486  
[www.stelladot.com/laceyprueitt](http://www.stelladot.com/laceyprueitt)

**Pete Walter**

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**From:** AngelaSroufe@BugattisRestaurant.com  
**Sent:** Monday, October 25, 2010 10:09 AM  
**To:** Pete Walter  
**Subject:** CP 10-1/ DP 10-02/ WR 10-03

Dear Mr. Walter,

I am writing in support of the redevelopment project for the Hilltop Mall that will be presented tonight at the planning commission hearing. I am the General Manager for Hilltop Bugatti's and we are very excited about the prospect of additional traffic coming to the mall and helping our sales. I have many customers comment on our location being 'tucked away', but with a major store like Safeway- the Hilltop Mall will be noteworthy. I live and work locally and feel like this is a great opportunity for Oregon City to create more jobs and help already existing businesses by increasing their patronage.

Please approve the redevelopment of Danielson Hilltop Mall Shopping Center!

Angela Sroufe  
Bugatti's Hilltop  
General Manager  
503-722-8222

**Pete Walter**

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**From:** Laurie's Paperback [pbexcorp@yahoo.com]  
**Sent:** Saturday, October 23, 2010 9:55 AM  
**To:** Pete Walter  
**Subject:** Hilltop Redevelopment

Mr. Walter,

My name is Susan Werner and I am the owner of Laurie's Paperback Exchange located in the Danielson Hilltop Mall. I would like you to know that I support the redevelopment plans for the Danielson Hilltop Mall Shopping Center. Laurie's Paperback Exchange has been doing business in Oregon City for 28 years. Fourteen years located at Fred Meyer and the last fourteen years located in the Danielson Hilltop Mall. The traffic generated by a grocery store located on the property is crucial to the success of my small business.

My business employs five people, pays property taxes and city fees, and provides convenient, local shopping for Oregon City residents. Please approve the redevelopment of the Danielson Hilltop Mall. By doing so, you will enable my business to continue to thrive and contribute to this community.

Sincerely,

Susan Werner  
358 Warner-Milne #106G  
Oregon City, Oregon



October 20, 2010

City of Oregon City  
Community Development - Planning Department  
Attn: Pete Walter  
221 Molalla Avenue, Suite 200  
Oregon City, OR 97045

RE: CE John Hilltop Project (CP 10-01, DP 10-2, WR 10-03: NROD)

Dear Mr. Walter,

The applicant for this project would like to provide additional information regarding compliance with the Natural Resource Overlay District code (Chapter 17.49). Specifically, the applicant would like to respond to the City of Oregon City Water Quality Area Resource Review provided the City's consultant, David Evans and Associates (October 1, 2010 memorandum from Ethan Rosenthal and Alex Dupey).

Three areas in the NROD application, as outlined in the October 1 memorandum, were recommended as conditions of approval to meet requirements of 17.490.030, 17.49.180(f) and 17.49.230. Additionally, we would like to provide some clarifications on the application compliance with code sections 17.490.200 and 17.490.250.

**17.49.030 – Map as Reference**

Applicant will provide additional mapping information to request that the NROD boundary be verified, as required under 17.49.250. Applicant contracted Environmental Science and Assessment, LLC (ES&A) to provide base resource mapping documentation for the waterway resource located with the NROD on site. The applicant has not yet provided all the materials required under 17.49.250, but will meet these requirements as a condition of approval to the NROD application.

The applicant is currently in compliance with 17.49.180 for NROD mitigation. It will not be necessary to alter the proposed NROD mitigation plan once the NROD boundary has been verified. The NROD delineation prepared by ES&A identifies the existing conditions on site, including the extent of the jurisdictional waterway boundary and the associated vegetated buffer.

Additionally, ES&A conducted an analysis of the existing and proposed conditions associated with this project and concluded that the project will result in a net increase in vegetated corridor acreage as proposed. Although the proposed site plan includes placement of impervious surfaces within the area currently mapped as NROD, it was concluded that most of this area currently contains impervious surfaces and the proposed site development plan will actually result in a net decrease of impervious surface under the proposed site improvements. At the same time the proposed site plan

Environmental Science & Assessment, LLC

838 SW First Avenue, Suite 410 • Portland, OR. 97204 • v 503.478.0424 • f 503.478.0422 • www.esapdx.com

will expand the vegetated corridor along the northern edge of the existing waterway from the existing condition. A no build alternative would actually result in less vegetated corridor within the NROD, so the proposed site plan is the best alternative to meet requirements under 17.49.200(A) and (B). See Attachment A.

**17.49.180(f)**

Applicant will prepare a maintenance and monitoring plan as required under 17.49.180(f) for the NROD mitigation provided for proposed impacts to the waterway and associated buffer within the mapped NROD.

**17.49.230**

The applicant will prepare a mitigation plan report to address this code section, incorporating any state and federal permit conditions for a proposed extension of a culvert at the entrance driveway from Beaver Creek Road.

I would be happy to provide additional clarifications to these issues as necessary.

Sincerely,



Jack Dalton

Environmental Science & Assessment, LLC

Cc: Mark Perniconi      C.E John Company  
Jill Long                Lane Powell

**ATTACHMENT A**  
**NROD - 50-foot Corridor Impact Analysis**

Existing Conditions		Proposed Conditions		Net Difference		
unimproved building pad	2907	unimproved area	0	unimproved area	-2907	Decrease Unimproved
asphalt/driveway/sidewalk	12215	impervious	11524	impervious	-691	Decrease Impervious
	<u>Total</u>	<u>Total</u>		<u>Total</u>		
Existing Impervious/Building pad	15122	Proposed Impervious	11524	Proposed Impervious	-3598	Decrease Imperious
existing buffer	5482	existing buffer	4811	existing buffer	-671	Decrease (Impacted)
waterway	5435	waterway	4804	waterway	-631	Decrease (Impacted)
		Impacts	1302	Impacts	-1302	
landscaping	4476	landscaping	3300	landscaping	-1176	Decrease (Reconfigured)
Mitigation/Native Planting Area	0	mitigation	4774	mitigation	4774	Increase
					3598	Net Increase Native/ Landscape (Pervious)
<b>Total Area</b>	<b>30515</b>		<b>30515</b>			
Mitigation Requirement		Impacts	SF			
		Waterway	631			
	SF	Existing Buffer	671	Required	SF	Percent Provided
Mitigation Area provided	4774		1302	2:1 Ratio	2604	183.3%
Planting Area	2604				2604	100.0%

(Note: All acreages provided within the 50-foot corridor)



# Hilltop Center Aerial Photo



DATE: 10/7/2013 3:05 PM [AUTHOR: jllm] [PLOTTER: \\pds-01a\Design\jet-color] [STYLE: WHP-Standard.ctb]  
 PATH: H:\JL\Job\Company\365577\Design\Drawings\365577-PLAN-APP01.dwg [LAYOUT: 25X36]

SHEET NUMBER <b>C-1.0</b>	<b>REGIONAL CONTEXT - AERIAL PHOTO</b>		SHEET INFO		REVISIONS		<b>PRELIMINARY</b> 		
	HILLTOP CENTER		DESIGNED BY	JLLM	NO.	BY		DATE	REMARKS
	PROJECT NUMBER 035577	DRAWING FILE NAME 36577-PLAN-APP01	SCALE 1" = 60'	CHECKED BY	JLLM				
			APPROVED BY						
			LAY OUT	10/02/13					
			PLOT DATE	10/02/13					
			SUBMITAL						

## Hilltop Center Outreach

- **Presentations Made to:**
  - **Hillendale Neighborhood Association**
  - **Gaffney Lane Neighborhood Association**
  - **Citizen Involvement Council**

## Hilltop Center History

- 1974 Site Acquired
- 1974 Danielson's Thriftway Opened  
Expanded 3 times to include 60K SF Superstore &  
30K Grocery
- 1975 US Bank Opened
- 1976 First State Bank (Key Bank) Opened
- 1979 25,000 SF Building Opened
- 1979 Skate Center Opened
- 1980 Small Retail Building Opened
- 1981 McDonald's Opened
- 1992 Skate Center Closed
- 1996 Theater Opened
- 2010 Danielson's Fresh Marketplace Closed

# Hilltop Center Existing Conditions Beavercreek Views



# Hilltop Center Existing Conditions Existing Building

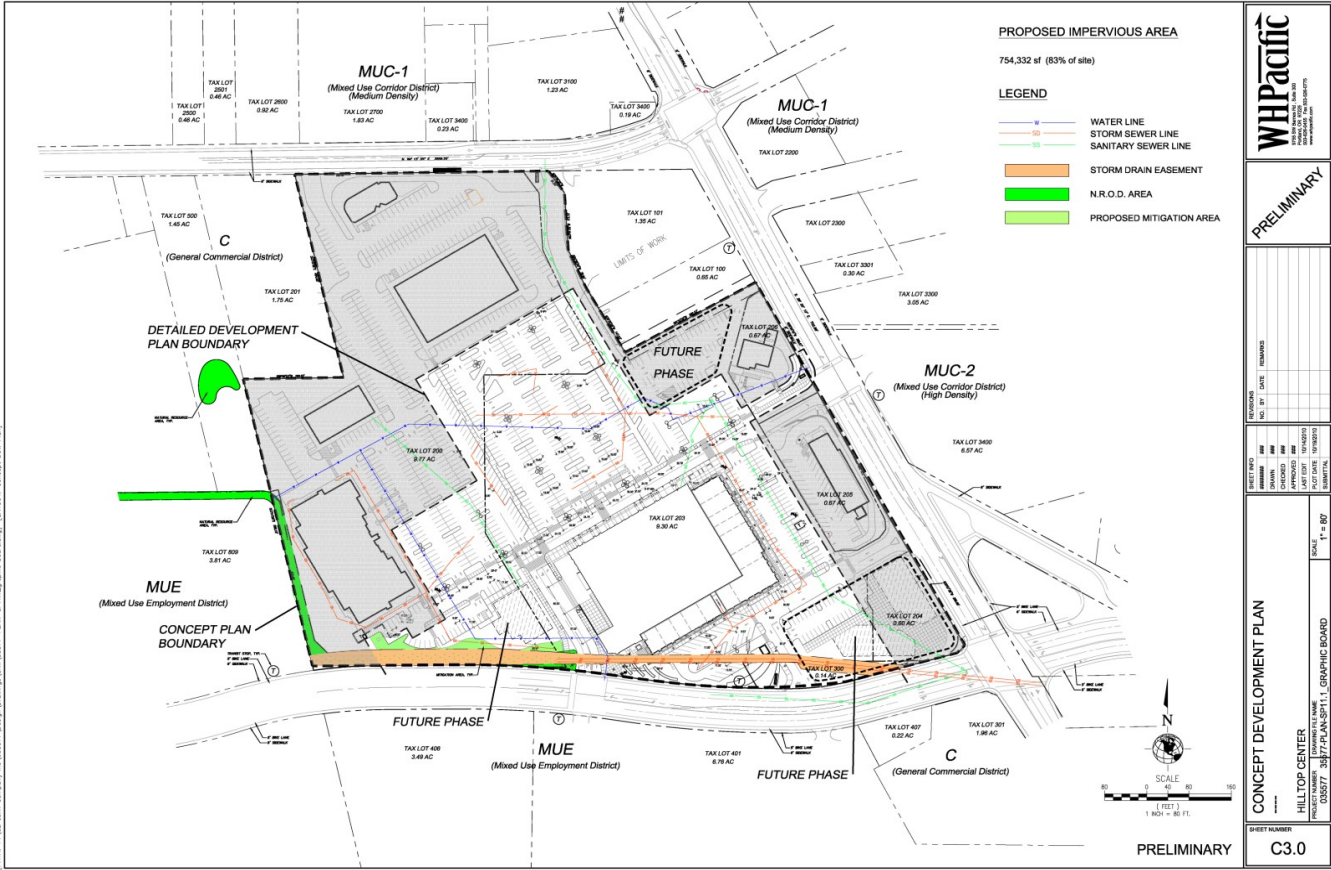


## Hilltop Center Redevelopment Facts Phase 1

- **Existing Building** 99,500 SF
- **Proposed New Grocery** 55,700 SF
- **Proposed New Retail** ~30,000 SF
- **Development Costs** \$17 Million
- **Public Investment** \$0
- **New Permanent Jobs** 200
- **Construction Jobs** 100
- **Proposed Completion** Late 2011



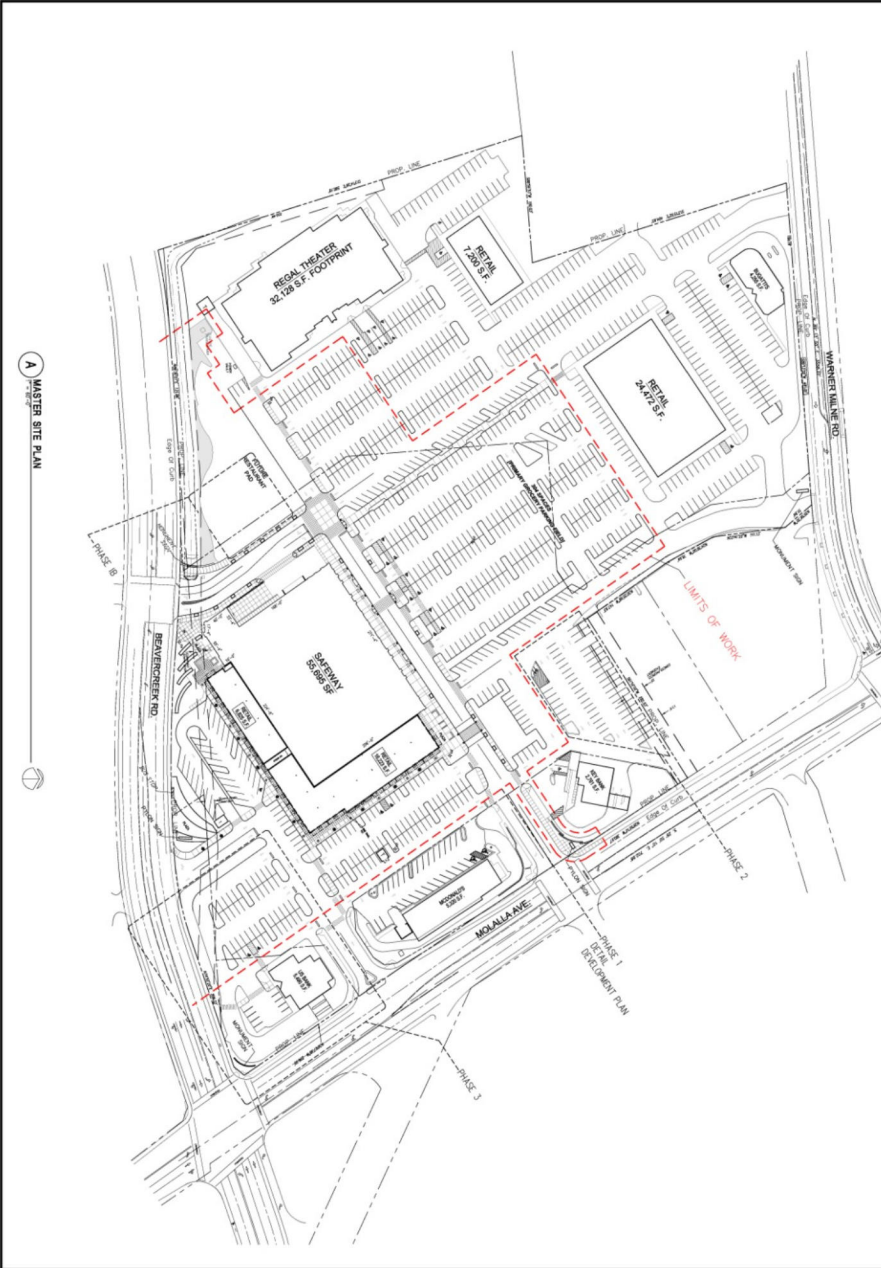
# Hilltop Center Detailed Development Plan



3a. CP 10-01, DP 10-02, WR 10-03. Approval with Conditions of a Master Development Plan, Detailed Development Plan and Natural Resource Overlay



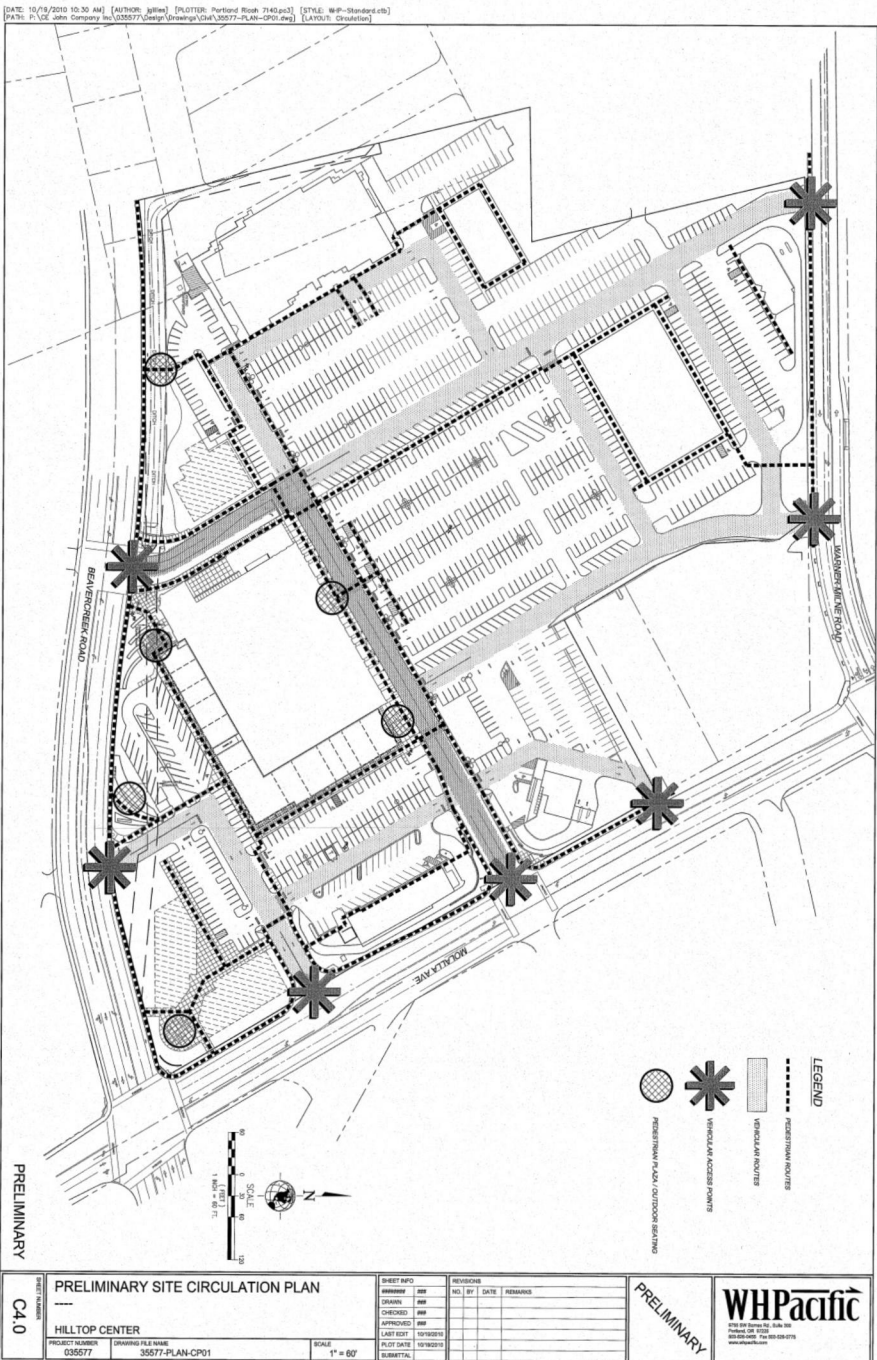
# Hilltop Center Site Plan



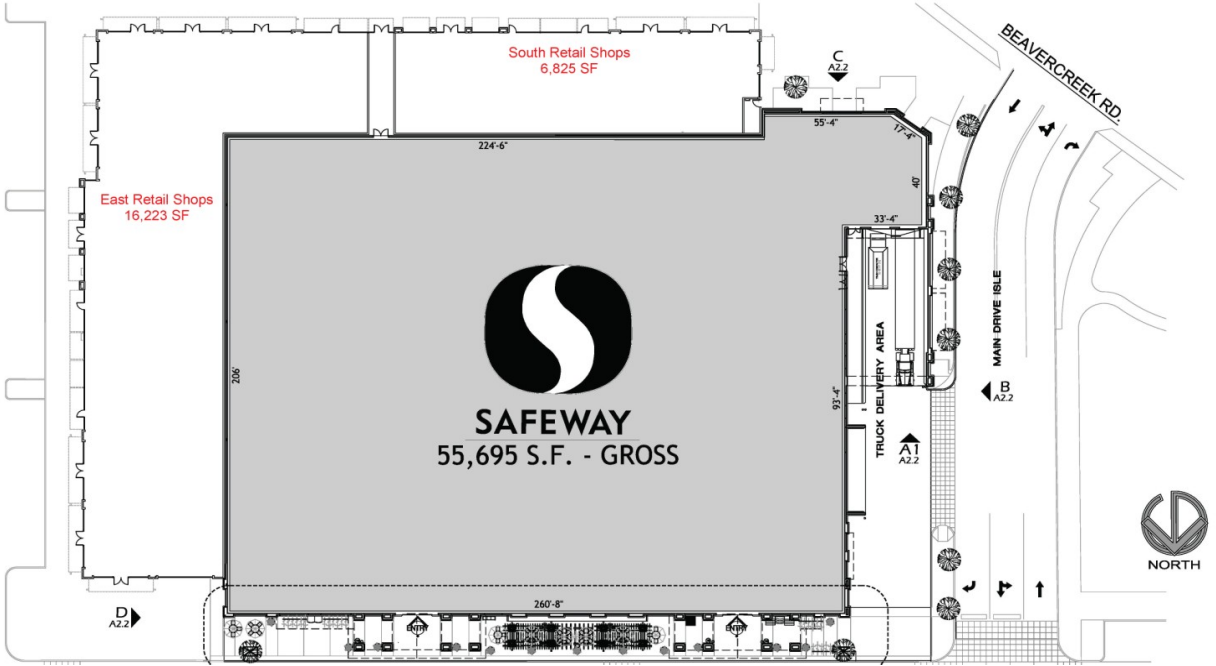
A MASTER SITE PLAN

<b>THE ROMMEL ARCHITECTURAL PARTNERSHIP</b> 1200 NW NAITO PARKWAY SUITE #550 PORTLAND, OREGON 97208 TEL: 503-227-5844 FAX: 503-227-8490	<b>UPDATED 10-19-10</b>	<b>OVERALL MASTER SITEPLAN</b> HILLTOP CENTER 1500 MOLALLA AVE. OREGON CITY, OREGON 97045		DRAWN BY: [ ] CHECKED: CSR DATE: [ ] FILE NAME: [ ] PLOT SCALE: 1 JOB# [ ]	REGISTERED ARCHITECT OREGON LICENSE NO. [ ] REGISTERED ARCHITECT OREGON LICENSE NO. [ ]
		SHEET NUMBER <b>A10</b>			

# Hilltop Center Connectivity



# Hilltop Center Building Footprint



# Hilltop Center Shop Building Elevations

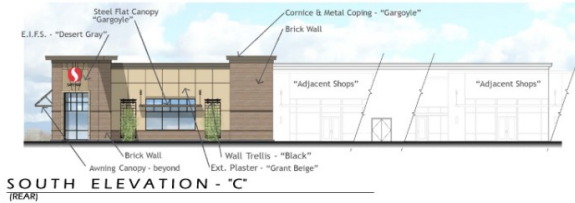


10.21.10

HILLTOP CENTER

The Rommel Architectural Partnership llp

# Hilltop Center Safeway Elevations



**SOUTH ELEVATION - "C"**  
(REAR)



**EAST ELEVATION - "D"**  
(LEFT)



**WEST ELEVATION (Truck Dock Screen Wall) - "B"**  
(RIGHT)



**NORTH ELEVATION (w/ Plaza Plan) - "A"**  
(FRONT)

## SAFeway MATERIALS / COLORS PROPOSED



SCALE: N.T.S.

## PROPOSED ELEVATIONS - Colored

SAFeway, INC.  
"SAFeway STORE 2993" at the 'HILLTOP'  
OREGON CITY, OREGON

ARCHITECTURE & PLANNING  
5300 S.W. MEADOWS ROAD  
LAKE OSWEGO, OR 97035  
SUITE 8130  
(503) 870-0234  
info@bsaa.com  
www.bsaa.com



Oct 21, 2010

A  
2.1



# Hilltop Center Beavercreek Entrance

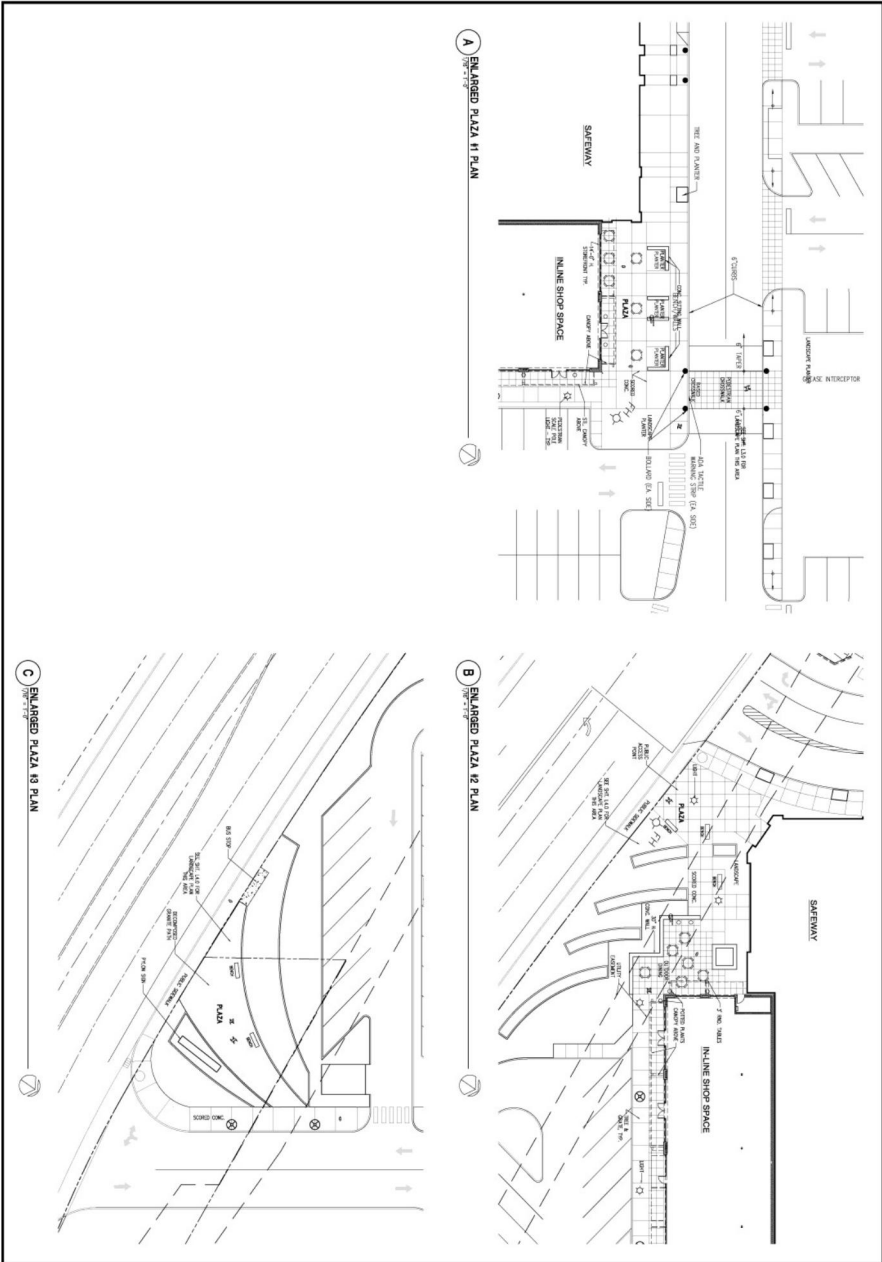


# Hilltop Center Landscape Plan





# Hilltop Center Plaza Plan



SCALE: 1/8" = 1'-0"	REVISIONS:
DRAWN: DSR	
CHECKED: DSR	
DATE:	
TITLE NAME:	
PLAT SCALE: 1	
APP:	

**ENLARGED PLAZA PLAN**  
 HILLTOP CENTER  
 1500 MOLALLA AVE.  
 OREGON CITY, OREGON 97045

**UPDATED**  
 10-15-10

**THE ROMMEL ARCHITECTURAL PARTNERSHIP**  
 1200 NW NAITO PARKWAY  
 SUITE #550  
 PORTLAND, OREGON 97209  
 TEL: 503-227-5844  
 FAX: 503-227-8490

**A1.3**



October 25<sup>th</sup> 2010

14422, Holcomb Blvd.  
Oregon City.  
503 734-0192

Dear Planning Commissioners,

I understand you are to discuss the proposed re-development of the Danielson site at the next commission meeting.

Running the Oregon City Farmers Market for the past 3 years I have witnessed the growth of the edible landscaping first hand on my weekly drives to and from the Market and have heard many positive comments from both customers and vendors about the landscaping around this site. It would seem from the comments I have heard that many view, as do I, the innovative edible landscaping with high regard.

As is often the course when a site is developed, or in this case , redeveloped, a scorched-earth approach is adopted. I would hope in this instance sanity would prevail over the developers and the City Planning Commission and as much as possible of the existing plantings are saved from removal . It takes years for a tree to become established and they, in particular, need to be protected. Having grown slowly over the years to the good size they are now they are finally giving the much needed shade for the parked cars, whilst softening the look of the acres of tarmac.

Many municipalities are adopting edible landscaping as a way forward in urban planning and design , providing food and shelter for the urban wild-life, and indeed, in this time of such food-insecurity, providing food for the community.

It would be a tragedy if our city , having had such an innovative value-creating landscaped area, were to allow for it's removal. This would surely be a big step backwards when so many in Oregon City are planning and working towards a more sustainable future. It would amount to a total a waste of energy , mans', plants' and fossils' .

So I am writing this to express my hope that you can take a very careful and calculated look at this project and that you will do your utmost to protect the existing landscaping of this large, impressive and important site, which so many citizens value.

Sincerely,  
Jackie Hammond-Williams.

September 28, 2010

Mr. Tony Konkol  
Community Development Director  
City of Oregon City  
221 Molalla Ave., Suite 200  
Oregon City, OR 97045

RE: Hilltop Redevelopment  
CP 10-01  
DP 10-02  
WR 10-03

Dear Tony,

Please accept this letter as our request for a 2 week continuance to October 25, 2010 for the Public Hearing for the above referenced Land Use Applications as well as a 2 week extension to the 120 Day clock.

Thank you for cooperation. Please call me at (360) 823-2714 if you have any questions.

Sincerely,



Mark J. Perniconi  
Development Consultant

Cc: Craig Danielson  
Carol Suzuki  
Jill Long  
Jim John

1701 SE COLUMBIA RIVER DRIVE  
VANCOUVER, WASHINGTON 98661  
TEL : VANCOUVER 360.696.0837  
TEL : PORTLAND 503.283.5365  
FAX : 360.696.1007

**Apperson, Kevin**

---

To: Baldwin, Ben  
Subject: RE:

**From:** Baldwin, Ben [mailto:BaldwinB@trimet.org]  
**Sent:** Thursday, June 24, 2010 2:57 PM  
**To:** Apperson, Kevin  
**Subject:**

Hi Kevin:

TriMet appreciates the opportunity to comment on the Hilltop project. As we have discussed, two TriMet stops are adjacent to the Mall:

Loc. ID 2866, Molalla FS Warner Milne  
3 daily boardings / 29 daily alightings and 17 monthly lifts

Loc. ID 6116, Beaver Creek OP #412  
63 daily boardings / 9 daily alightings and 8 monthly lifts

I would like to see improvements considered at both locations, however we have focused primarily on loc. ID 6116 since Loc ID 2866 is on a different tax lot. TriMet is currently considering relocating Loc. ID 6116 closer to Molalla Ave. to improve pedestrian crossing safety. We would like the Safeway project to include a transit pad behind the existing sidewalk to accommodate the relocated TriMet shelter. We would also like clear and relatively direct pedestrian access to the new building from the new stop location.

Thank you for continuing to work with TriMet as the project progresses and the design is refined.

Ben Baldwin  
TriMet Project Planner  
503-962-2140



**M E M O R A N D U M**

To: **PLANNING COMMISSION**  
From : Pete Walter, AICP, Associate Planner  
Re : Edible Landscaping Plants / Hilltop Mall Redevelopment  
Date : November 2, 2010

---

Dear Planning Commissioners,

In response to Commissioner Stein’s question regarding edible plants and the letter from Jackie Hammond-Williams at the Hilltop hearing on October 25, 2010, regarding the Hilltop Mall Redevelopment File CP 10-01 / DP 10-02 / WR 10-03.

Staff has recommended in the Staff Report that the Planning Commission encourage the applicant to use appropriate edible plants where appropriate on the site. The Oregon City Municipal Code OCMC 17.62.050.A.1 identifies the requirements for landscaping; which does not include a requirement to use edible plants. If the Commission determines that edible plants should be required on the site, additional findings justifying the requirement will be required.

OCMC 17.62.050.A.1 (Landscaping) provides that “Natural landscaping comprised of native species shall be retained to meet the landscaping requirement...All invasive species, such as Himalayan Blackberry and English Ivy shall be removed on-site prior to building final.... 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...”.

OCMC 17.52.090.B.10 (Parking Lot Landscaping) provides that “All plant materials, including trees, shrubbery and ground cover should be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage and staggered flowering periods. Species found on the Oregon City Native Plant List are strongly encouraged and species found on the Oregon City Nuisance Plant List are prohibited.”

Within these parameters, the applicant’s landscape architect must consider the appropriateness of the site and the proposed use of the property as they prepare the landscaping plan.

Attachments: Staff Email and Oregon Edible Plants Teacher Guide from a PBS documentary, 10/257/2010

October 25<sup>th</sup> 2010

14422, Holcomb Blvd.  
Oregon City.  
503 734-0192

Dear Planning Commissioners,

I understand you are to discuss the proposed re-development of the Danielson site at the next commission meeting.

Running the Oregon City Farmers Market for the past 3 years I have witnessed the growth of the edible landscaping first hand on my weekly drives to and from the Market and have heard many positive comments from both customers and vendors about the landscaping around this site. It would seem from the comments I have heard that many view, as do I, the innovative edible landscaping with high regard.

As is often the course when a site is developed, or in this case , redeveloped, a scorched-earth approach is adopted. I would hope in this instance sanity would prevail over the developers and the City Planning Commission and as much as possible of the existing plantings are saved from removal . It takes years for a tree to become established and they, in particular, need to be protected. Having grown slowly over the years to the good size they are now they are finally giving the much needed shade for the parked cars, whilst softening the look of the acres of tarmac.

Many municipalities are adopting edible landscaping as a way forward in urban planning and design , providing food and shelter for the urban wild-life, and indeed, in this time of such food-insecurity, providing food for the community.

It would be a tragedy if our city , having had such an innovative value-creating landscaped area, were to allow for it's removal. This would surely be a big step backwards when so many in Oregon City are planning and working towards a more sustainable future. It would amount to a total a waste of energy , mans', plants' and fossils' .

So I am writing this to express my hope that you can take a very careful and calculated look at this project and that you will do your utmost to protect the existing landscaping of this large, impressive and important site, which so many citizens value.

Sincerely,  
Jackie Hammond-Williams.



**Pete Walter**

---

**From:** Pete Walter  
**Sent:** Wednesday, October 27, 2010 12:58 PM  
**To:** Carter Stein; Charles Kidwell; Chris Groener; Dan Lajoie; Tim Powell  
**Cc:** Tony Konkol  
**Subject:** Oregon Edible Plants  
**Attachments:** OregonEdiblePlants.pdf

Dear Planning Commissioners,

In response to Commissioner Stein’s question regarding edible plants and the letter from Jackie Hammond-Williams at the Hilltop hearing Monday night, staff is doing a little research and will provide a formal addendum to the record at the hearing on November 8, 2010.

In the meantime, I am attaching a teacher guide from a PBS documentary “The Oregon Story” which includes a short list on Page 5 of some edible plants found in Oregon.

Currently, the Oregon City Native Plant list does not include a category for edible plants. The city’s list is organized by habitat type, and edible plants could occur in any habitat. Also, the vast majority of commonly edible plants are domesticated and introduced, rather than native species. Some of the most nutritious plants are also unfortunately also listed on the Oregon City Nuisance Plant List and are prohibited from planting, such as blackberries and dandelions. Others, such as thimbleberry, salal and huckleberries, are well known and may be appropriate for use as landscaping plants.

The pertinent section of the code that talks about landscaping is OCMC 17.62.050.A.1., which provides that “Natural landscaping comprised of native species shall be retained to meet the landscaping requirement...All invasive species, such as Himalayan Blackberry and English Ivy shall be removed on-site prior to building final.... 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...”.

Within these parameters, the applicant’s landscape architect must consider the appropriateness of the site and the proposed use of the property as they prepare the landscaping plan. Applicants are encouraged to use native species, and the practice is becoming more widespread, however, the code does not require the use of native species on a private development site unless they are already existing, within the NROD overlay district, or are landscaping within a city-owned storm water facility. Also, the code does not require the use of edible plant species in landscaping, however an applicant may propose them.

This email and it’s attachments are part of the record for the DP 08-01 / DP 10-02 / WR 10-03.

Thank you, and please contact me if you have further concerns or questions, or need staff to provide additional information.

Pete Walter



---

**Pete Walter, AICP, Associate Planner**  
[pwalter@orcity.org](mailto:pwalter@orcity.org)  
**Community Development Department**  
**Planning Division**  
221 Molalla Avenue, Ste. 200  
Oregon City, Oregon 97045  
503-496-1568 Direct  
503-722-3789 Front Desk  
503-722-3880 Fax  
Website: [www.orcity.org](http://www.orcity.org)

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[Property Zoning Report](#)

Online Mapping is available at [OCWebMaps](#)



Please consider the environment before printing

*PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.*

For your information, the following is a list of common wild plants found in Oregon's forests and neighborhoods. Most firs, pines, and other evergreen trees are also used in the greens industry. You may wish to become familiar with these plants to help steer your students in the right direction.

**Species**

Oregon Grape	Bunchberry
Salal	Puffball
Dandelion	Stinging Nettles
Wild Plums	Wild Cherries
Huckleberries	Braken fern
Currants	Gooseberries
Watercress	Himalayan blackberry
Miners lettuce	Wild onion
Raspberry	Salmonberry
Thimbleberry	Californian blackberry
Elderberry	Broadleaf arrowhead
Common chickweed	Common dandelion
Stinging nettle	Beargrass
Sagebrush	Wooly Mullein
Yarrow	Willow

### Activity 3: Field Guide to the Wild Things

#### Time Allotted

One to two 45-minute class periods

#### Materials

- Plant identification books
- Internet access
- Guides to medicinal plants, non-timber forest product guides, etc. such as the following:
  - *Identifying and Harvesting Edible and Medicinal Plants in Wild (and Not so Wild) Places*. 1994 by Brill and Dean
  - *Edible Wild Plants: A North American Field Guide*. 1990. Elias and Dykeman
  - *The Wild Foods Trail Guide*. 1976. Hall.
  - *Profiles of Northwest Plants: Food Uses-Medicinal Uses- Legends*. 1979. Robinson.

#### Objectives

- Students will investigate wild plants to learn about alternative uses and economic value
- Students will use their knowledge of plants to identify and learn about wild plant species.
- Students will gain appreciation for Native American culture by learning about the multiple uses for plants.
- Students will describe an alternative economic value for our National Forests.

#### Teaching Instructions

1. Upon returning to the classroom, students will identify plants with plant guidebooks. You may wish to preserve plants by laminating them. Have students affix them to paper, and then run through the laminator. If materials are limited you may wish to have students select one or two of their best and most unique samples for lamination.
2. Students should continue following steps 4-6 on the student handout. They will need identification (mushrooms, wildflowers, tree, etc) books, collector's books, and Internet access to do this. You may wish to limit each group to one or two plants, perhaps selecting for the greatest classroom diversity.
3. Students should turn in pages that include the following information:
  - A sample or image of the plant (including berries, stems, flowers, etc., as applicable)
  - Latin name and common name(s) of the plant
  - Journal entry about the place and conditions from where it was collected
  - List and types of uses
  - Instructions for preparation

### **Hilltop Phasing Plan**

This phasing plan is provided to provide approximate timelines to potential future development. All future development is dependent on a variety of factors, including but not limited to market demand and existing tenant relationships.

Future development will allow enhanced pedestrian connections throughout the site that will tie in to the new pedestrian connections provided in the Detailed Development Plan. Additionally, parking lots will be brought to current standards upon development of each new phase. Review of the new phases will be triggered by a land use application filed by the applicant with the City of Oregon City and all relevant criteria will be reviewed and satisfied with each future phase.

#### **Phase One – approximately 2-5 year horizon**

- Restaurant Pad on Beavercreek across from Safeway screening wall

#### **Phase Two – approximately 2-5 year horizon**

- Pad off of Molalla near Key Bank (possible fuel pad)

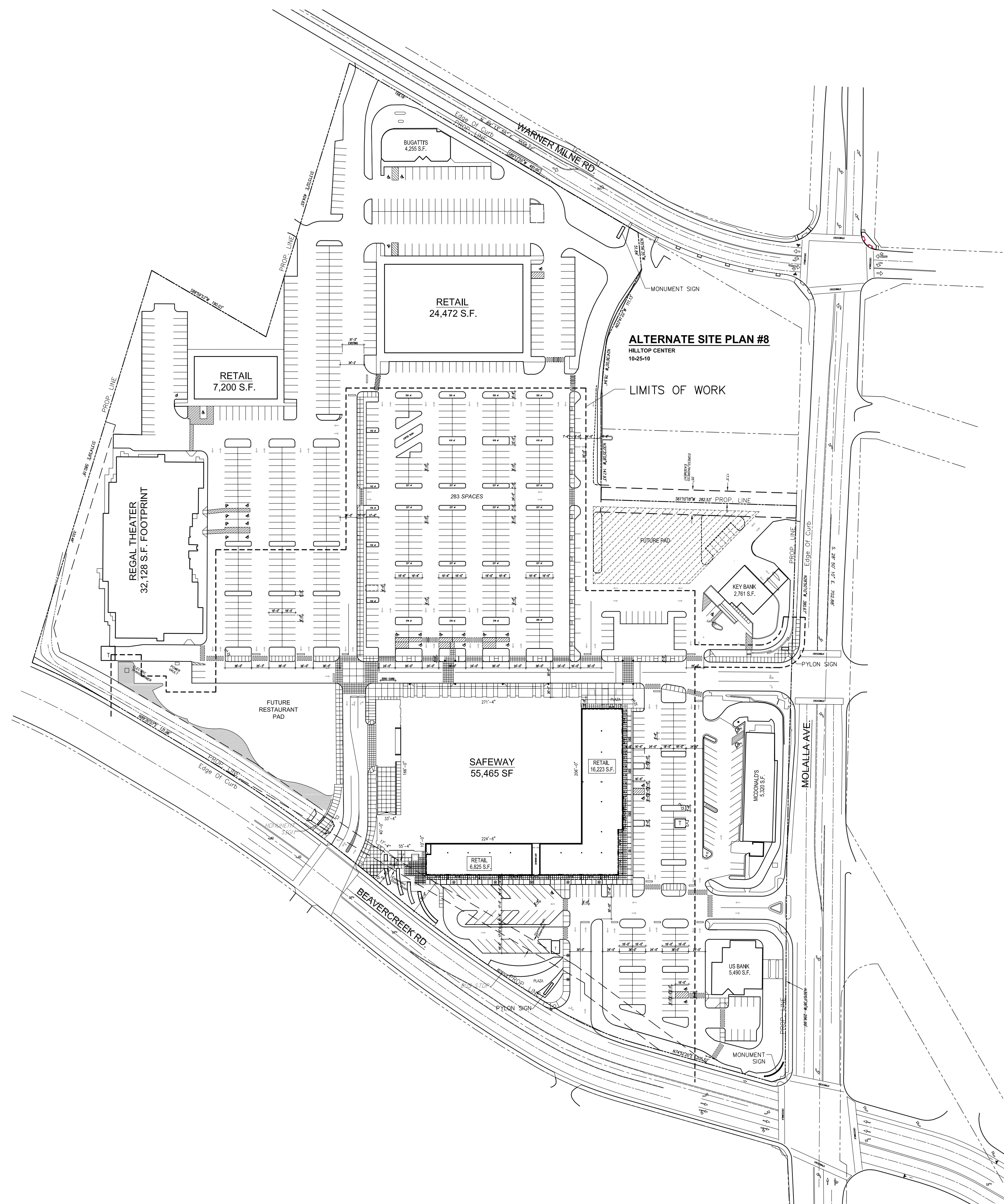
#### **Phase Three – approximately 5-10 year horizon**

- US Bank Corner

#### **Phase Four – approximately 10 – 20 year horizon**

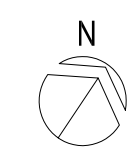
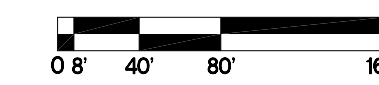
- Bugattis
- Building G
- Theatre
- McDonalds

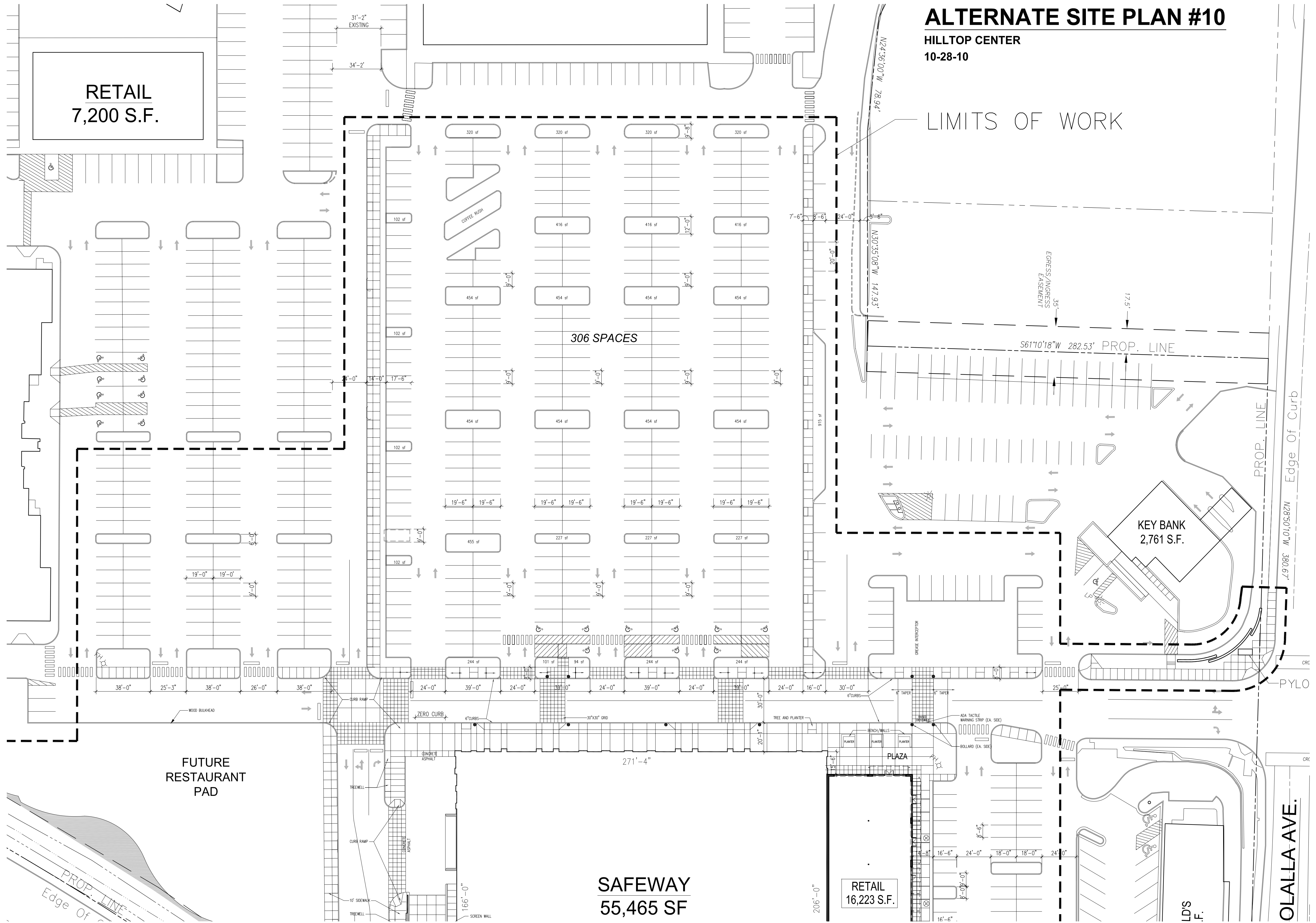
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Hilltop Mall - Site Plan

THE ROMMEL ARCHITECTURAL PARTNERSHIP  
 C.E. JOHN COMPANY, INC.  
 OCTOBER 27, 2010  
 1" = 80'-0"





**ALTERNATE SITE PLAN #10**  
**HILLTOP CENTER**  
**10-28-10**

LIMITS OF WORK

RETAIL  
7,200 S.F.

306 SPACES

SAFeway  
55,465 SF

RETAIL  
16,223 S.F.

KEY BANK  
2,761 S.F.

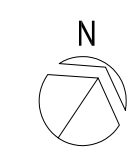
FUTURE  
RESTAURANT  
PAD

PLAZA

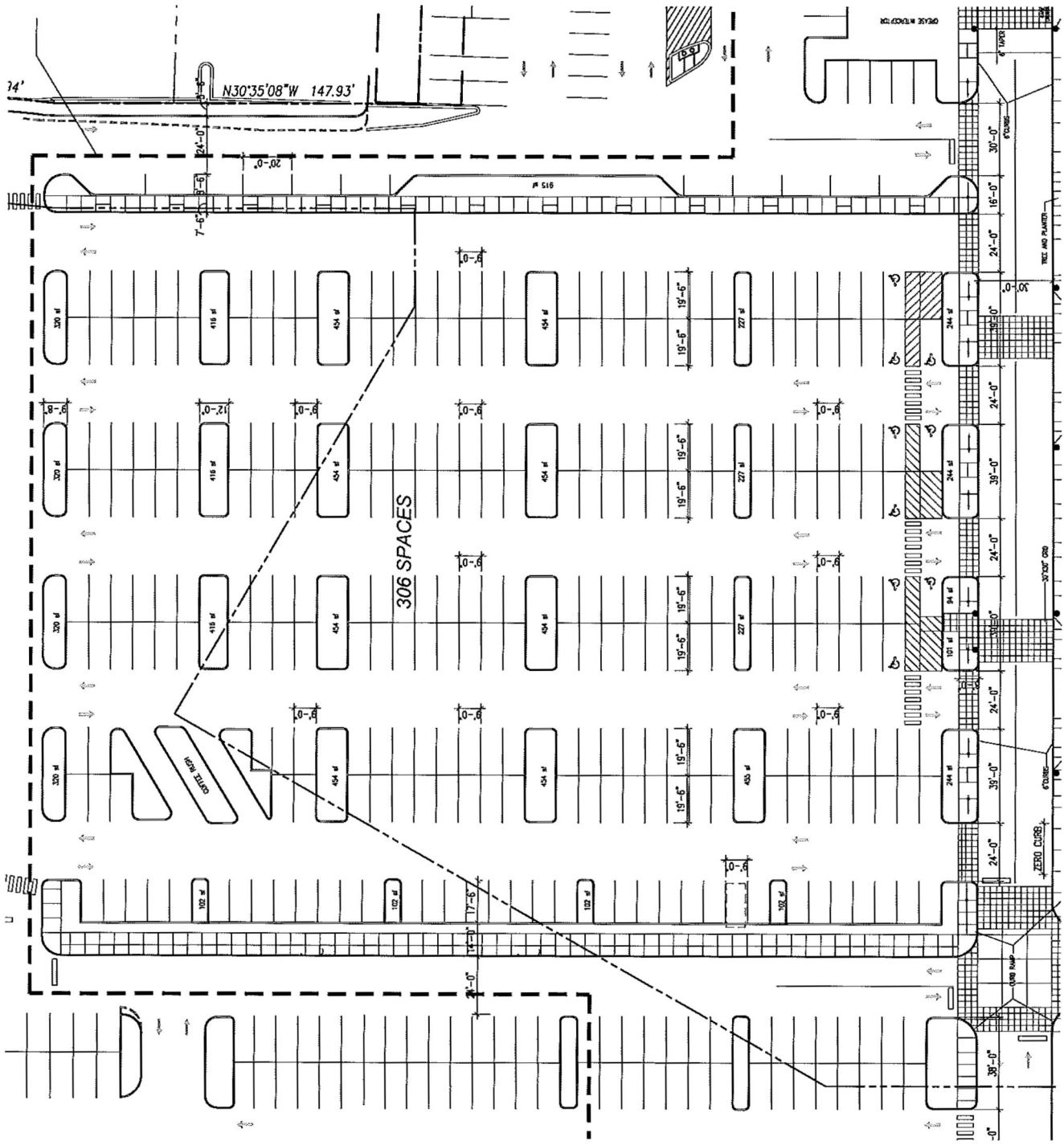
OLALLA AVE.

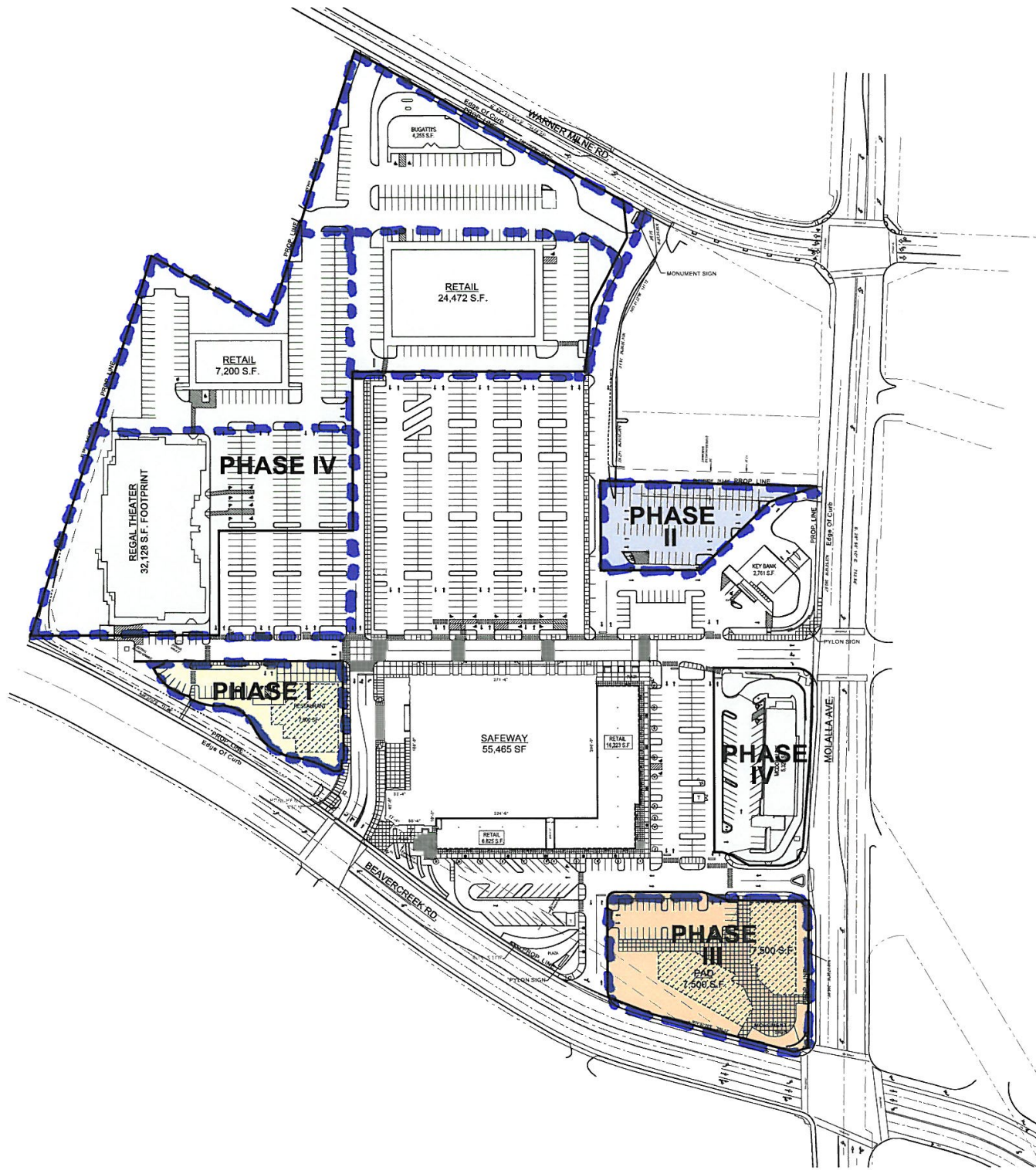
Hilltop Mall - Site Plan

THE ROMMEL ARCHITECTURAL PARTNERSHIP  
 C.E. JOHN COMPANY, INC.  
 OCTOBER 28, 2010  
 1" = 30'-0"









Hilltop Center - Master Site Plan

THE ROMMEL ARCHITECTURAL PARTNERSHIP  
C.E. JOHN COMPANY, INC.

NOVEMBER 2, 2010  
1" = 80'-0"





**Responses to Staff Report -**

**Project:** CP 10-01: Concept (General) Development Plan1  
DP 10-02: Detailed Development Plan (Site Plan and Design Review)  
WR 10-03: Natural Resource Overlay District (NROD) Review  
**Subject:** Proposed Conditions of Approval #10 staff report (11 - Conditions)  
**Author:** KJD  
**Date:** 11.3.10

Staff in review of the North Elevation on page 59 & 60 finds that the Elevation is in compliance with the multiple roof element Criteria of 17.62.056.D. Per Proposed condition #11 roofs on staff report page #87 staff requests that the West South & East elevations comply with:

**Roofs**

11. Prior to issuance of a building permit, all roofs shall include at least two (2) of the roof form features listed in OCMC 17.62.056.D.1 (a) through (d) for all building elevations.

**D. Development Standards.**

1. *Roofs. Roofs shall include at least two of the following features:*

- a. *Parapets concealing flat roofs and rooftop equipment from public view. The average height of such parapets shall not exceed fifteen percent of the height of the supporting wall and such parapets shall not at any point exceed one third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatment;*
- b. *Overhanging eaves, extending no less than three feet past the supporting walls;*
- c. *Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run;*
- d. *Three or more roof slope planes.*

**Please see the attached KJD1 /Elevation A2.2 exhibit which illustrates that three of the four elements as described in D.1.a-d are included on the West elevation.**

Further in Staffs Text on page 60 staff reviews the Safeway Gables and Eaves which were not shown as being the full 3' per criteria b.

*Regarding overhanging eaves, the gabled roof elements are shown project between 1' to 2.5' beyond the roof canopy, therefore standard (b) of this section has not been met.*

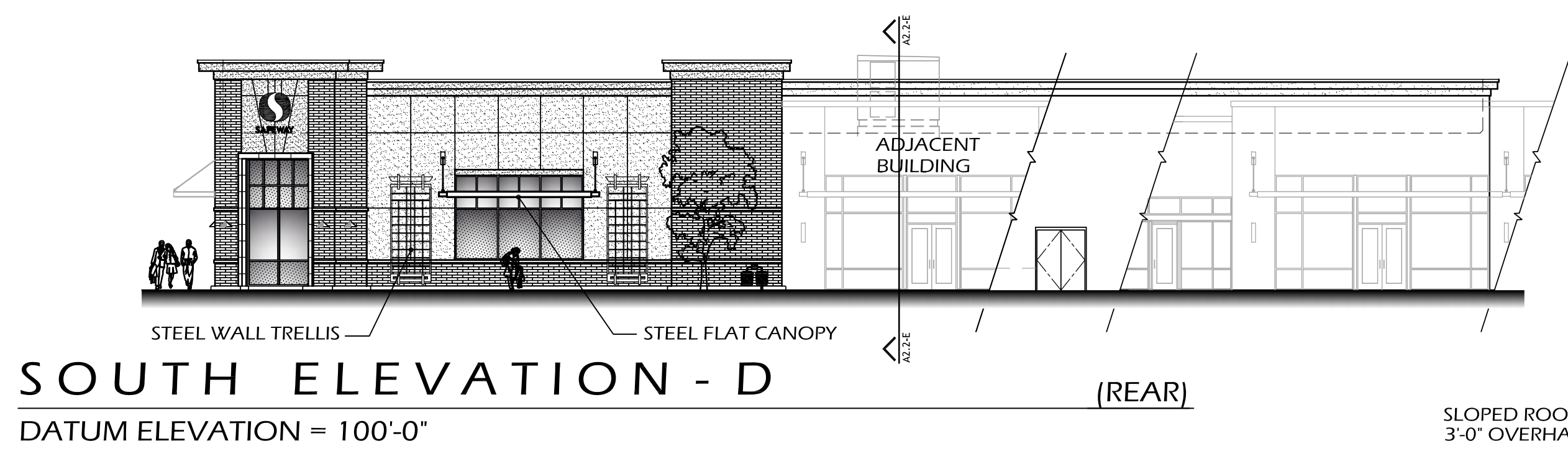
The elevations are in compliance under the other criteria but Safeway is proposing that the major overhangs will comply with the 3' eave length. Please see KJD2 Elevation 2.2 that highlights the eaves that comply with the 3' criteria.

Respectfully Submitted,

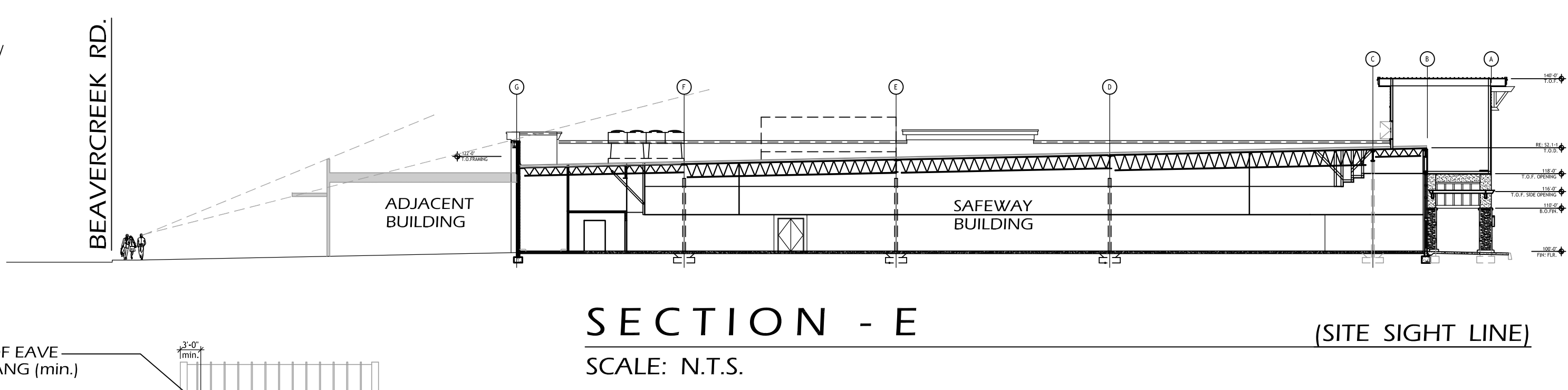
*Ken Diener*

KJD Architecture PC

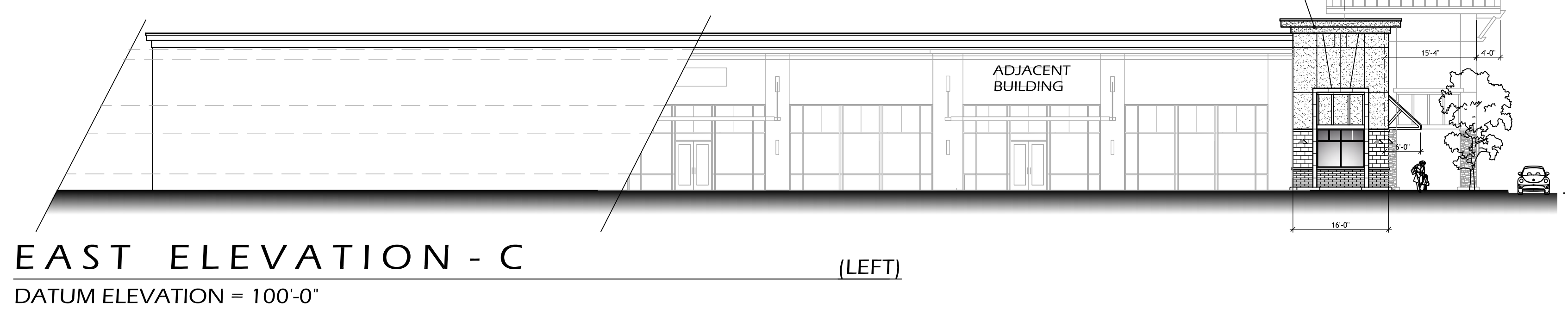




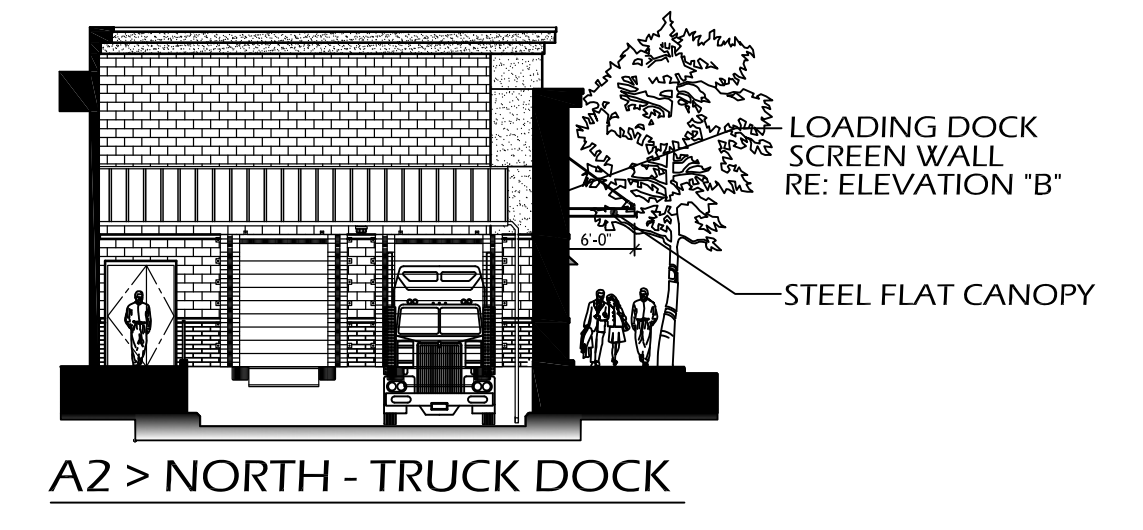
**SOUTH ELEVATION - D**  
DATUM ELEVATION = 100'-0"  
(REAR)



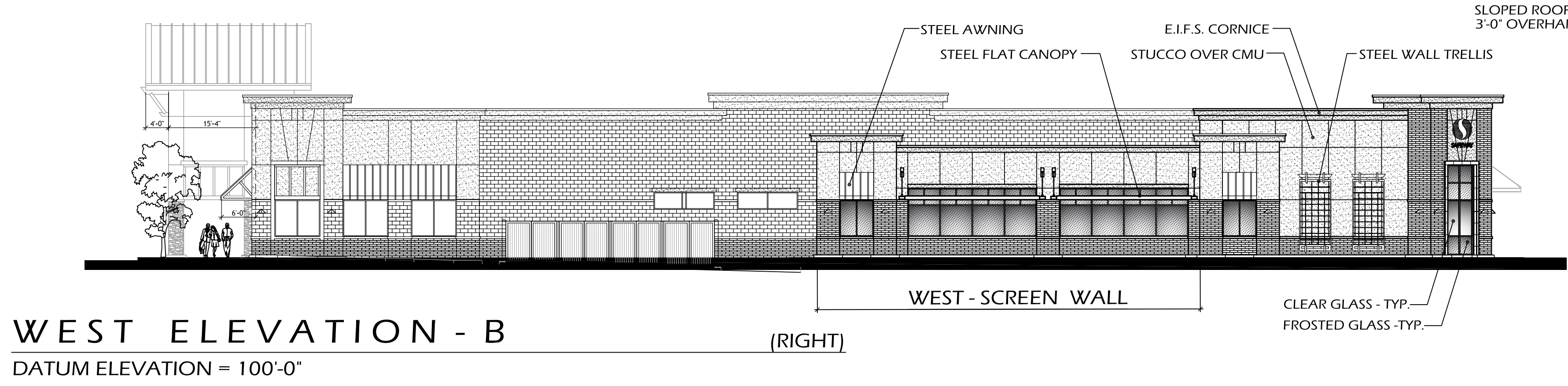
**SECTION - E**  
SCALE: N.T.S.  
(SITE SIGHT LINE)



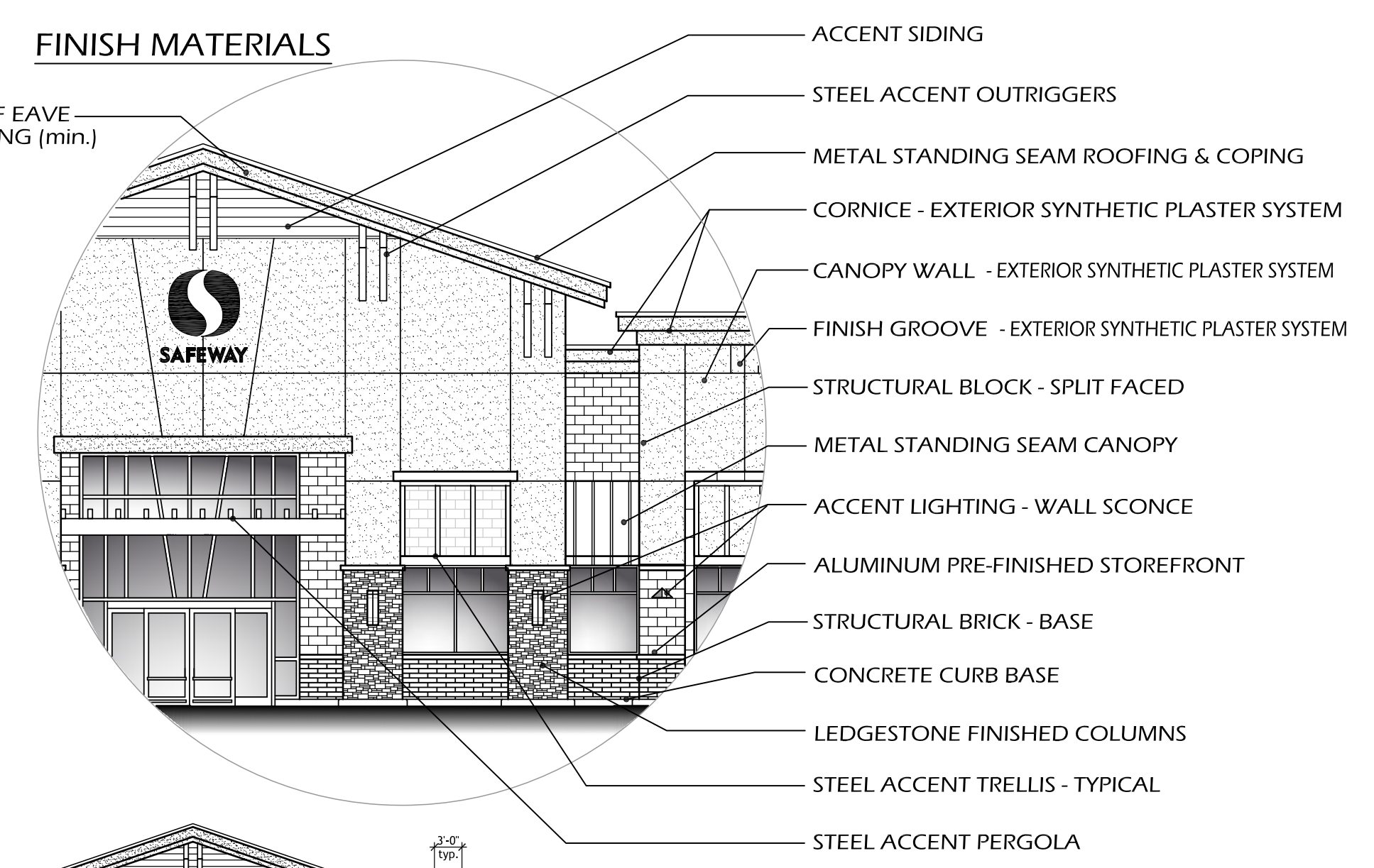
**EAST ELEVATION - C**  
DATUM ELEVATION = 100'-0"  
(LEFT)



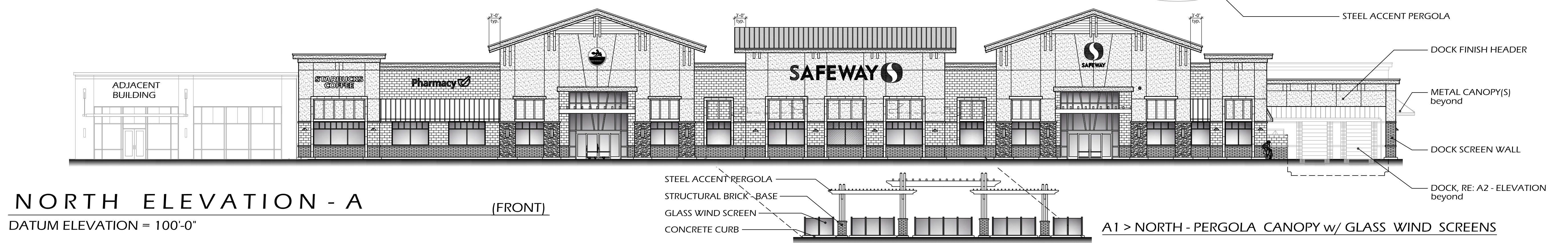
**A2 > NORTH - TRUCK DOCK**



**WEST ELEVATION - B**  
DATUM ELEVATION = 100'-0"  
(RIGHT)



- ACCENT SIDING
- STEEL ACCENT OUTRIGGERS
- METAL STANDING SEAM ROOFING & COPING
- CORNICE - EXTERIOR SYNTHETIC PLASTER SYSTEM
- CANOPY WALL - EXTERIOR SYNTHETIC PLASTER SYSTEM
- FINISH GROOVE - EXTERIOR SYNTHETIC PLASTER SYSTEM
- STRUCTURAL BLOCK - SPLIT FACED
- METAL STANDING SEAM CANOPY
- ACCENT LIGHTING - WALL SCENCE
- ALUMINUM PRE-FINISHED STOREFRONT
- STRUCTURAL BRICK - BASE
- CONCRETE CURB BASE
- LEDGESTONE FINISHED COLUMNS
- STEEL ACCENT TRELLIS - TYPICAL
- STEEL ACCENT PERGOLA



**NORTH ELEVATION - A**  
DATUM ELEVATION = 100'-0"  
(FRONT)

**A1 > NORTH - PERGOLA CANOPY w/ GLASS WIND SCREENS**

**PROPOSED ELEVATIONS**

**SAFeway, INC.**

**"SAFeway STORE 2993" at the 'HILLTOP'**  
**OREGON CITY, OREGON**

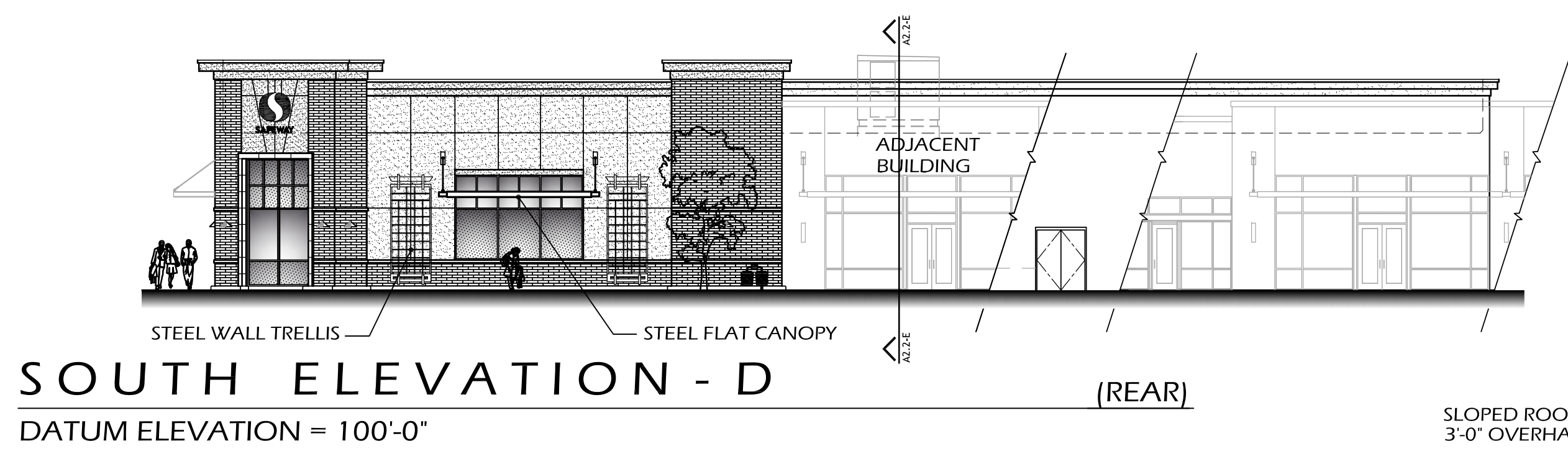
ARCHITECTURE & PLANNING  
5200 S.W. MEADOWS ROAD  
LAKE OSWEGO, OR 97035  
SUITE B130  
(503) 670-0234  
bsa@bsaarch.com



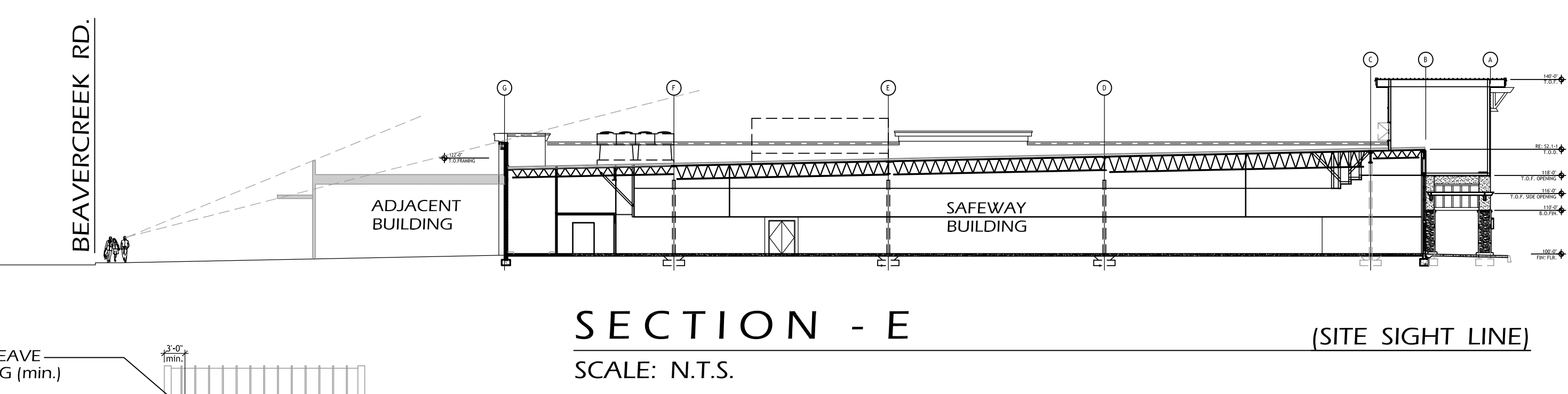
Nov 2, 2010  
**A**  
**2.2**

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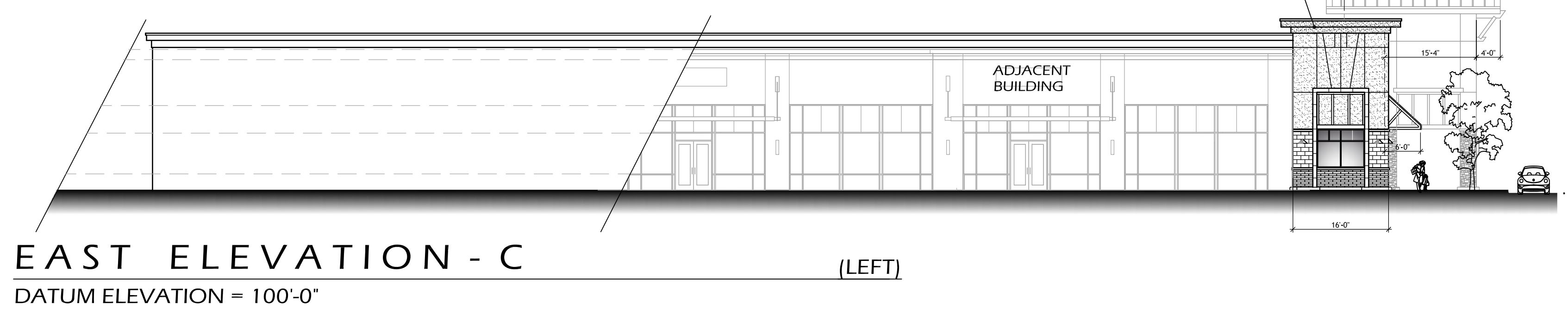




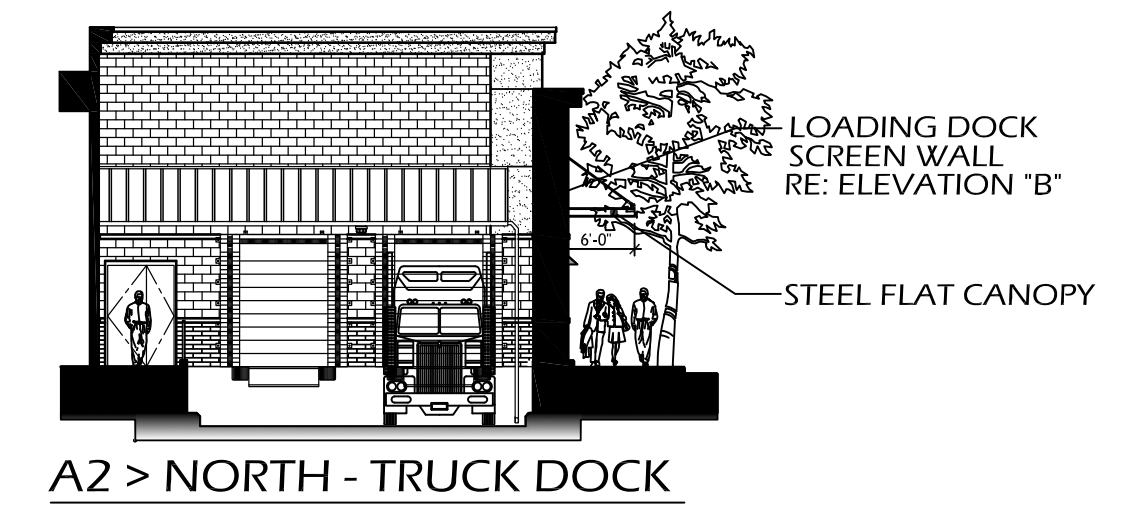
**SOUTH ELEVATION - D**  
 (REAR)  
 DATUM ELEVATION = 100'-0"



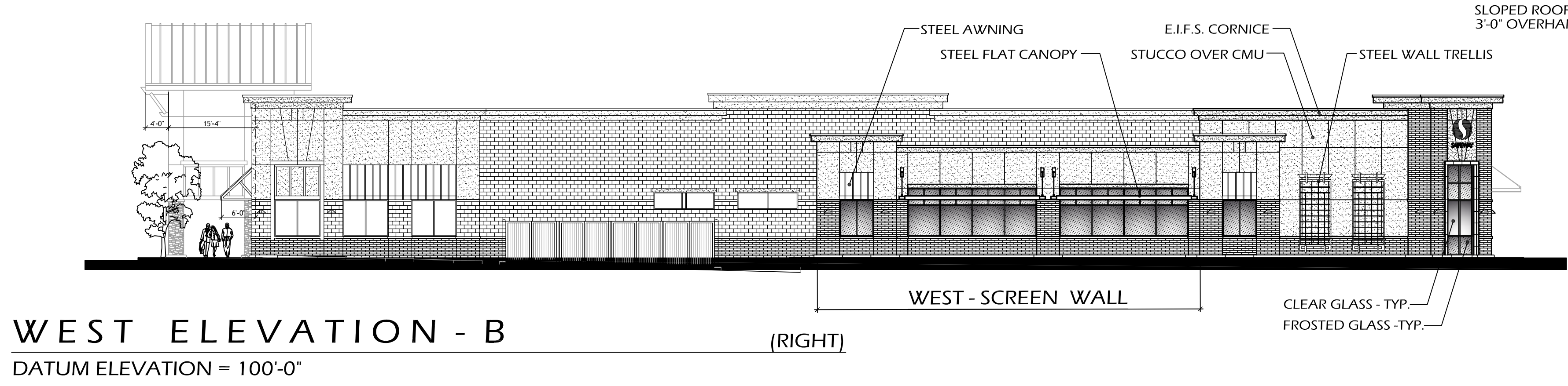
**SECTION - E**  
 (SITE SIGHT LINE)  
 SCALE: N.T.S.



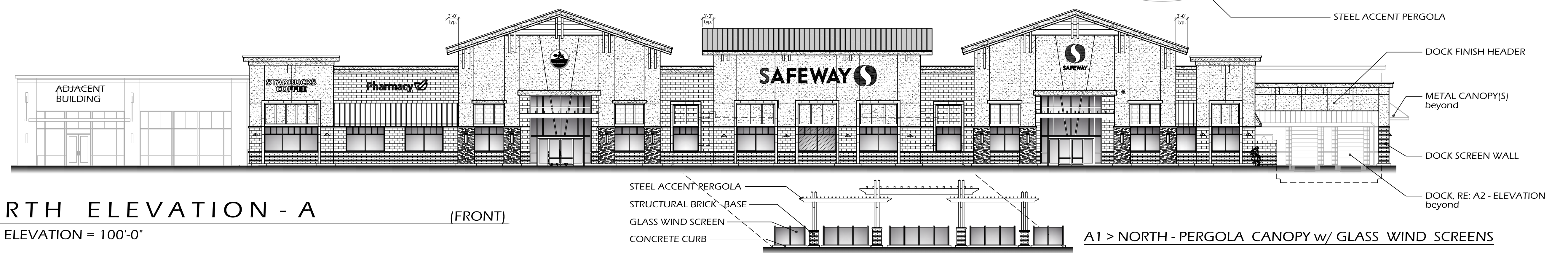
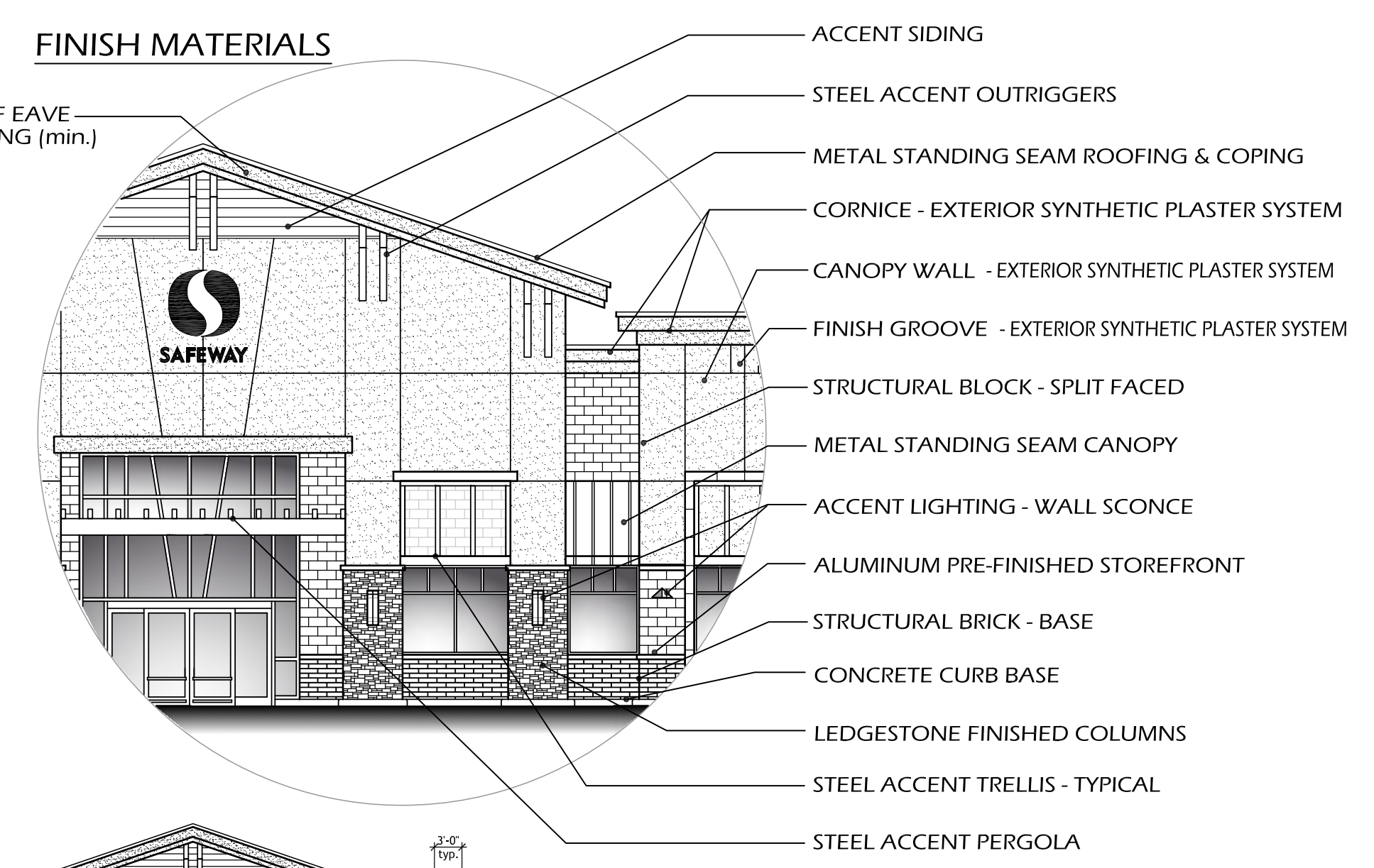
**EAST ELEVATION - C**  
 (LEFT)  
 DATUM ELEVATION = 100'-0"



**A2 > NORTH - TRUCK DOCK**



**WEST ELEVATION - B**  
 (RIGHT)  
 DATUM ELEVATION = 100'-0"



**NORTH ELEVATION - A**  
 (FRONT)  
 DATUM ELEVATION = 100'-0"

**A1 > NORTH - PERGOLA CANOPY w/ GLASS WIND SCREENS**

**PROPOSED ELEVATIONS**

**SAFeway, INC.**

**"SAFeway STORE 2993" at the 'HILLTOP'**  
**OREGON CITY, OREGON**

ARCHITECTURE & PLANNING  
 5200 S.W. MEADOWS ROAD  
 LAKE OSWEGO, OR 97035  
 SUITE B130  
 (503) 670-0234  
 bsa@bsaarch.com



Nov 2, 2010  
**A**  
**2.2**

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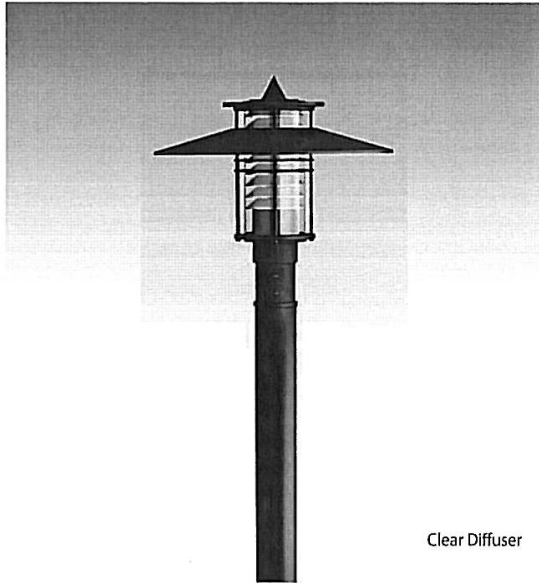


# LUMINAIRE SPECIFICATION



PROJECT : \_\_\_\_\_ DATE : \_\_\_\_\_  
 LOCATION : \_\_\_\_\_  
 QUANTITY : \_\_\_\_\_ NOTE : \_\_\_\_\_

AA



Clear Diffuser

## 20285-3-C Eurasia 1 medium shade post top luminaire

IP55

**Product Type**  
Light column / Post top luminaire.

**Product Information**  
A post top decorative lantern symmetrical light distribution. Designed to harmonise in style with the designated Eurasia 1 wall light, Eurasia 1 bollard and Eurasia 1 pillar light. Main application designed for used almost anywhere - car parks, precincts, pathways and town centres.

**Material Characteristics**  
Extruded aluminium pole. Die-cast aluminium housing with high corrosion resistance. Stainless steel screws. Durable silicone rubber gasket. Clear polycarbonate diffuser. Powder paint with high corrosion resistance with chemical chromatised protection. Anodized high purity aluminium reflector for clear diffuser only.

**Top Style**  
 Dome Top     Flat Top     Pointed Top

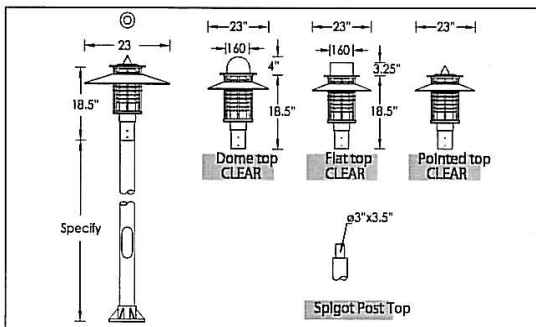
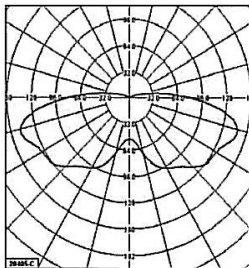


**Colour**  
 Black - RAL 9011     Dark Grey - RAL 7043  
 White - RAL 9003     Metallic Silver - RAL 9006  
 Matt Silver - RAL 9006     Custom - RAL \_\_\_\_\_

**Reflector**  
None.

**Lamp**  
MH 70w. Med

**Note**  
- Integral control gear.



Head office : 3302 NW 211th Terrace  
Hillsboro,  
Oregon  
USA

Tel : 503-645-0500  
Fax : 503-645-8100  
Email : info@ligmanlightingusa.com  
Website : www.ligmanlightingusa.com



# RAVEN LARGE RCL SERIES

Cat. #		Approvals
Job	Type	
	BB	

**SPAULDING  
LIGHTING**

### APPLICATIONS

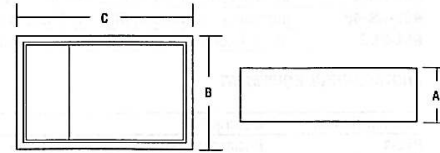
- Provides a superior lighting solution for a wide array of area/site lighting applications.

### FEATURES

- Lightweight, rugged, one-piece formed and welded aluminum for smooth construction and weatherproofing. Pre-drilled for mounting. Decorative embossed band and reveal colors available.
- Extruded aluminum frame with rigid corner bracing and die-cast zinc latches for tool-free entry. Quality silicone gasketing seals out insects, dirt and moisture. Decorative silk screening conceals electrical compartment. Flat tempered and impact-resistant glass provide sharp full cutoff.
- Hydroformed and performance series reflectors available. IES type II, III, IV, and V distributions. All distributions are field rotatable.
- Extruded arms along with multiple adapters provide mounting flexibility.
- Mogul porcelain socket, pulse rated, with spring-loaded, nickel-plated center contact and reinforced lamp grip screw shell.
- CWA type, HPF Ballast, starting rated at -20°F (-40°F for HPS).
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.

### LISTINGS/CERTIFICATIONS

- UL 1598 listed and CSA certified for outdoor use in wet locations.
- IDA fixture seal of approval.



	A	B	C	EPA	Weight
RCL	10.5"	22.25"	30"	2.6 ft. <sup>2</sup>	70 lbs
	262 mm	556 mm	750 mm	0.2 m <sup>2</sup>	31.7 kg

NOTE: EPA and weight values do not include mounting arm.  
Four inch arm adds 0.2 ft<sup>2</sup> EPA. Ten inch arm adds 0.4 ft<sup>2</sup> EPA.



## ORDERING INFORMATION

### ORDERING EXAMPLE

<b>RCL</b>	-	<b>A4</b>	-	<b>P1K</b>	-	<b>H3P</b>	-	<b>F</b>	-	<b>Q</b>	-	<b>DB</b>	-	<b>L</b>
Series		Mount		Wattage/ Source		Lamp Orientation/Distribution		Lens		Voltage		Color		Options

### SERIES

**RCL** Raven Large

### MOUNT

**A4** Arm Mount (includes 4" rigid arm)  
**A10** Arm Mount (includes 10" rigid arm)<sup>2</sup>  
**WB** Wall Bracket (arm not required or included)<sup>3</sup>  
**WBA4** Wall Bracket with 4" rigid arm  
**WB10** Wall Bracket with 10" rigid arm  
**0** No arm or wall bracket accessory

### WATTAGE/SOURCE

**METAL HALIDE**  
**H1K** 1000 watt (BT-56)  
**SUPER METAL HALIDE**  
**MS1K** 1000 watt (BT-56)  
**PULSE START METAL HALIDE**  
**P40** 400 watt (BT-37)  
**P75** 750 watt (BT-37)  
**P1K** 1000 watt (BT-37)

### SOURCE/WATTAGE con't

**HIGH PRESSURE SODIUM**  
**S40** 400 watt (ED-18)  
**S60** 600 watt (T-14)  
**S75** 750 watt (BT-37)  
**S1K** 1000 watt (E-25)

### LAMP ORIENTATION/DISTRIBUTION

**H2P** Horizontal II Performance Series (segmented)<sup>4</sup>  
**H3P** Horizontal III Performance Series (segmented)  
**H4** Horizontal IV (multi-piece)  
**H4P** Horizontal IV Performance Series (multi-piece)  
**H5<sup>4</sup>** Horizontal V (hydroformed)  
**H5P** Horizontal V Performance Series (segmented)

### LENS

**F** Flat

### VOLTAGE

**Q** Quad-Tap<sup>5</sup> 120/208/240/277V<sup>1</sup>  
**5** 480V  
**T** Tri-Tap<sup>5</sup> 120/277/347V<sup>1,2</sup>  
**E** 50Hz 220/240V (250, 400 & 1000W MH, SMH & HPS only)  
**V** Five-Tap - 120/208/240/277/480V<sup>1</sup> (250 & 400W MH, SMH & HPS only)  
**0** No Ballast

### COLOR

**DB** Dark Bronze  
**BL** Black  
**WH** White  
**GR** Gray  
**PS** Platinum Silver  
**RD** Red (premium color)  
**FG** Forest Green (premium color)  
**CC** Custom Color (consult factory) (RAL# preferred)

### OPTIONS

**W1** 120V Wiring Prep  
**W2** 208V Wiring Prep  
**W3** 240V Wiring Prep  
**W4** 277V Wiring Prep  
**W5** 480V Wiring Prep  
**W6** 347V Wiring Prep  
**RPA2** Round Pole Adapter (2<sup>3</sup>/<sub>4</sub>"-3<sup>1</sup>/<sub>8</sub>")  
**RPA3** Round Pole Adapter (3<sup>1</sup>/<sub>4</sub>"-3<sup>3</sup>/<sub>4</sub>")  
**RPA4** Round Pole Adapter (3<sup>7</sup>/<sub>8</sub>"-4<sup>1</sup>/<sub>2</sub>")  
**RPA5** Round Pole Adapter (5")  
**RPA6** Round Pole Adapter (6")  
**F(X)** Fusing (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**P(X)<sup>3</sup>** Photo Button (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**PR(X)** Photo Cell Receptacle (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**QZ** Quartz Restrike with 150W DC bayonet lamp  
**HS** Internal House Side Shield (all except Type V distributions)  
**VG** Polycarbonate Vandal Guard  
**R(XX)** Reveal (replace XX with color designation) **EB** option must be chosen with reveal option  
**EB** Embossed Band  
**L** Lamp

<sup>1</sup> Factory wired for highest voltage unless specified.  
<sup>2</sup> Required for 90° configurations.  
<sup>3</sup> FDMJH, direct mount hardware kit required.  
<sup>4</sup> Housing requires compact 1000W lamp.  
<sup>5</sup> 400W Max. Not available in 480V.  
**NOTE: All poles to be drilled with #2 pattern.**

SPAULDING LIGHTING

SHEET # RAVEN-SPEC1/10



# RAVEN LARGE RCL SERIES

Cat. #		Approvals
Job	Type	
	BBZ	

**SPAULDING  
LIGHTING**

### APPLICATIONS

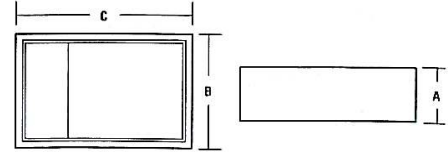
- Provides a superior lighting solution for a wide array of area/site lighting applications.

### FEATURES

- Lightweight, rugged, one-piece formed and welded aluminum for smooth construction and weatherproofing. Pre-drilled for mounting. Decorative embossed band and reveal colors available.
- Extruded aluminum frame with rigid corner bracing and die-cast zinc latches for tool-free entry. Quality silicone gasketing seals out insects, dirt and moisture. Decorative silk screening conceals electrical compartment. Flat tempered and impact-resistant glass provide sharp full cutoff.
- Hydroformed and performance series reflectors available. IES type II, III, IV, and V distributions. All distributions are field rotatable.
- Extruded arms along with multiple adapters provide mounting flexibility.
- Mogul porcelain socket, pulse rated, with spring-loaded, nickel-plated center contact and reinforced lamp grip screw shell.
- CWA type, HPF Ballast, starting rated at -20°F (-40°F for HPS).
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.

### LISTINGS/CERTIFICATIONS

- UL 1598 listed and CSA certified for outdoor use in wet locations.
- IDA fixture seal of approval.



	A	B	C	EPA	Weight
<b>RCL</b>	10.5"	22.25"	30"	2.6 ft. <sup>2</sup>	70 lbs
	262 mm	556 mm	750 mm	0.2 m <sup>2</sup>	31.7 kg

NOTE: EPA and weight values do not include mounting arm.  
Four inch arm adds 0.2 ft<sup>2</sup> EPA. Ten inch arm adds 0.4 ft<sup>2</sup> EPA.



## ORDERING INFORMATION

### ORDERING EXAMPLE

**RCL** - **A4** - **P1K** - **H3P** - **F** - **Q** - **DB** - **L**

Series      Mount      Wattage/Source      Lamp Orientation/Distribution      Lens      Voltage      Color      Options

#### SERIES

**RCL** Raven Large

#### MOUNT

**A4** Arm Mount (includes 4" rigid arm)  
**A10** Arm Mount (includes 10" rigid arm)<sup>2</sup>  
**WB** Wall Bracket (arm not required or included)<sup>3</sup>  
**WB44** Wall Bracket with 4" rigid arm  
**WB10** Wall Bracket with 10" rigid arm  
**0** No arm or wall bracket accessory

#### WATTAGE/SOURCE

**METAL HALIDE**  
**H1K** 1000 watt (BT-56)  
**SUPER METAL HALIDE**  
**MS1K** 1000 watt (BT-56)  
**PULSE START METAL HALIDE**  
**P40** 400 watt (BT-37)  
**P75** 750 watt (BT-37)  
**P1K** 1000 watt (BT-37)

#### SOURCE/WATTAGE con't

**HIGH PRESSURE SODIUM**  
**S40** 400 watt (ED-18)  
**S60** 600 watt (T-14)  
**S75** 750 watt (BT-37)  
**S1K** 1000 watt (E-25)

#### LAMP ORIENTATION/DISTRIBUTION

**H2P** Horizontal II Performance Series (segmented)<sup>4</sup>  
**H3P** Horizontal III Performance Series (segmented)  
**H4** Horizontal IV (multi-piece)  
**H4P** Horizontal IV Performance Series (multi-piece)  
**H5\*** Horizontal V (hydroformed)  
**H5P** Horizontal V Performance Series (segmented)

#### LENS

**F** Flat  
**VOLTAGE**  
**Q** Quad-Tap\* 120/208/240/277V<sup>1</sup>  
**5** 480V  
**T** Tri-Tap\* 120/277/347V<sup>2</sup>  
**E** 50Hz 220/240V (250, 400 & 1000W MH, SMH & HPS only)  
**V** Five-Tap - 120/208/240/277/480V<sup>1</sup> (250 & 400W MH, SMH & HPS only)  
**0** No Ballast

#### COLOR

**DB** Dark Bronze  
**BL** Black  
**WH** White  
**GR** Gray  
**PS** Platinum Silver  
**RD** Red (premium color)  
**FG** Forest Green (premium color)  
**CC** Custom Color (consult factory) (RAL# preferred)

#### OPTIONS

**W1** 120V Wiring Prep  
**W2** 208V Wiring Prep  
**W3** 240V Wiring Prep  
**W4** 277V Wiring Prep  
**W5** 480V Wiring Prep  
**W6** 347V Wiring Prep  
**RPA2** Round Pole Adapter (23/4"-31/8")  
**RPA3** Round Pole Adapter (31/4"-33/4")  
**RPA4** Round Pole Adapter (37/8"-41/2")  
**RPA5** Round Pole Adapter (5")  
**RPA6** Round Pole Adapter (6")  
**F(X)** Fusing (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**P(X)\*** Photo Button (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**PR(X)** Photo Cell Receptacle (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**QZ** Quartz Restrike with 150W DC bayonet lamp  
**HS** Internal House Side Shield (all except Type V distributions)  
**VG** Polycarbonate Vandal Guard  
**R(XX)** Reveal (replace XX with color designation) **EB** option must be chosen with reveal option  
**EB** Embossed Band  
**L** Lamp

<sup>1</sup> Factory wired for highest voltage unless specified.  
<sup>2</sup> Required for 90° configurations.  
<sup>3</sup> FDMH, direct mount hardware kit required.  
<sup>4</sup> Housing requires compact 1000W lamp.  
 5. 400W Max. Not available in 480V.  
 NOTE: All poles to be drilled with #2 pattern.

SPAULDING LIGHTING

SHEET # RAVEN-SPEC1/10

# RAVEN LARGE RCL SERIES

Cat. #		Approvals
Job	Type	
	BBA	

**SPAULDING  
LIGHTING**

### APPLICATIONS

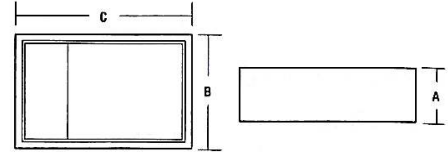
- Provides a superior lighting solution for a wide array of area/site lighting applications.

### FEATURES

- Lightweight, rugged, one-piece formed and welded aluminum for smooth construction and weatherproofing. Pre-drilled for mounting. Decorative embossed band and reveal colors available.
- Extruded aluminum frame with rigid corner bracing and die-cast zinc latches for tool-free entry. Quality silicone gasketing seals out insects, dirt and moisture. Decorative silk screening conceals electrical compartment. Flat tempered and impact-resistant glass provide sharp full cutoff.
- Hydroformed and performance series reflectors available. IES type II, III, IV, and V distributions. All distributions are field rotatable.
- Extruded arms along with multiple adapters provide mounting flexibility.
- Mogul porcelain socket, pulse rated, with spring-loaded, nickel-plated center contact and reinforced lamp grip screw shell.
- CWA type, HPF Ballast, starting rated at -20°F (-40°F for HPS).
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.

### LISTINGS/CERTIFICATIONS

- UL 1598 listed and CSA certified for outdoor use in wet locations.
- IDA fixture seal of approval.



	A	B	C	EPA	Weight
RCL	10.5"	22.25"	30"	2.6 ft. <sup>2</sup>	70 lbs
	262 mm	556 mm	750 mm	0.2 m <sup>2</sup>	31.7 kg

NOTE: EPA and weight values do not include mounting arm.  
Four inch arm adds 0.2 ft<sup>2</sup> EPA. Ten inch arm adds 0.4 ft<sup>2</sup> EPA.



## ORDERING INFORMATION

### ORDERING EXAMPLE

**RCL** - **A4** - **P1K** - **H3P** - **F** - **Q** - **DB** - **L**  
 Series      Mount      Wattage/Source      Lamp Orientation/Distribution      Lens      Voltage      Color      Options

### SERIES

**RCL** Raven Large

### MOUNT

**A4** Arm Mount (includes 4" rigid arm)  
**A10** Arm Mount (includes 10" rigid arm)<sup>2</sup>  
**WB** Wall Bracket (arm not required or included)<sup>3</sup>  
**WB44** Wall Bracket with 4" rigid arm  
**WB10** Wall Bracket with 10" rigid arm  
**0** No arm or wall bracket accessory

### WATTAGE/SOURCE

**METAL HALIDE**  
**H1K** 1000 watt (BT-56)  
**SUPER METAL HALIDE**  
**MS1K** 1000 watt (BT-56)  
**PULSE START METAL HALIDE**  
**P40** 400 watt (BT-37)  
**P75** 750 watt (BT-37)  
**P1K** 1000 watt (BT-37)

### SOURCE/WATTAGE con't

**HIGH PRESSURE SODIUM**  
**S40** 400 watt (ED-18)  
**S60** 600 watt (T-14)  
**S75** 750 watt (BT-37)  
**S1K** 1000 watt (E-25)

### LAMP ORIENTATION/DISTRIBUTION

**H2P** Horizontal II Performance Series (segmented)<sup>4</sup>  
**H3P** Horizontal III Performance Series (segmented)  
**H4** Horizontal IV (multi-piece)  
**H4P** Horizontal IV Performance Series (multi-piece)  
**H5\*** Horizontal V (hydroformed)  
**H5P** Horizontal V Performance Series (segmented)

### LENS

**F** Flat  
**VOLTAGE**  
**Q** Quad-Tap\* 120/208/240/277V<sup>1</sup>  
**5** 480V  
**T** Tri-Tap\* 120/277/347V<sup>2</sup>  
**E** 50Hz 220/240V (250, 400 & 1000W MH, SMH & HPS only)  
**V** Five-Tap - 120/208/240/277/480V<sup>1</sup> (250 & 400W MH, SMH & HPS only)  
**0** No Ballast

### COLOR

**DB** Dark Bronze  
**BL** Black  
**WH** White  
**GR** Gray  
**PS** Platinum Silver  
**RD** Red (premium color)  
**FG** Forest Green (premium color)  
**CC** Custom Color (consult factory) (RAL# preferred)

### OPTIONS

**W1** 120V Wiring Prep  
**W2** 208V Wiring Prep  
**W3** 240V Wiring Prep  
**W4** 277V Wiring Prep  
**W5** 480V Wiring Prep  
**W6** 347V Wiring Prep  
**RPA2** Round Pole Adapter (23/4"-31/8")  
**RPA3** Round Pole Adapter (31/8"-33/4")  
**RPA4** Round Pole Adapter (37/8"-41/2")  
**RPA5** Round Pole Adapter (5")  
**RPA6** Round Pole Adapter (6")  
**F(X)** Fusing (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**P(X)\*** Photo Button (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**PR(X)** Photo Cell Receptacle (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**QZ** Quartz Restrike with 150W DC bayonet lamp  
**HS** Internal House Side Shield (all except Type V distributions)  
**VG** Polycarbonate Vandal Guard  
**R(XX)** Reveal (replace XX with color designation) EB option must be chosen with reveal option  
**EB** Embossed Band  
**L** Lamp

1 Factory wired for highest voltage unless specified.  
 2 Required for 90° configurations.  
 3 FDMH, direct mount hardware kit required.  
 4 Housing requires compact 1000W lamp.  
 5. 400W Max. Not available in 480V.  
 NOTE: All poles to be drilled with #2 pattern.

SPAULDING LIGHTING

SHEET # RAVEN-SPEC1/10

# RAVEN LARGE RCL SERIES

Cat. #		Approvals
Job	Type <i>CC</i>	

**SPAULDING  
LIGHTING**

### APPLICATIONS

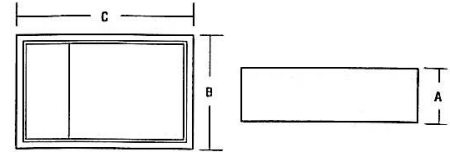
- Provides a superior lighting solution for a wide array of area/site lighting applications.

### FEATURES

- Lightweight, rugged, one-piece formed and welded aluminum for smooth construction and weatherproofing. Pre-drilled for mounting. Decorative embossed band and reveal colors available.
- Extruded aluminum frame with rigid corner bracing and die-cast zinc latches for tool-free entry. Quality silicone gasketing seals out insects, dirt and moisture. Decorative silk screening conceals electrical compartment. Flat tempered and impact-resistant glass provide sharp full cutoff.
- Hydroformed and performance series reflectors available. IES type II, III, IV, and V distributions. All distributions are field rotatable.
- Extruded arms along with multiple adapters provide mounting flexibility.
- Mogul porcelain socket, pulse rated, with spring-loaded, nickel-plated center contact and reinforced lamp grip screw shell.
- CWA type, HPF Ballast, starting rated at -20°F (-40°F for HPS).
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.

### LISTINGS/CERTIFICATIONS

- UL 1598 listed and CSA certified for outdoor use in wet locations.
- IDA fixture seal of approval.



	A	B	C	EPA	Weight
RCL	10.5"	22.25"	30"	2.6 ft. <sup>2</sup>	70 lbs
	262 mm	556 mm	750 mm	0.2 m <sup>2</sup>	31.7 kg

NOTE: EPA and weight values do not include mounting arm.  
Four inch arm adds 0.2 ft<sup>2</sup> EPA. Ten inch arm adds 0.4 ft<sup>2</sup> EPA.



## ORDERING INFORMATION

### ORDERING EXAMPLE

<b>RCL</b>	-	<b>A4</b>	-	<b>P1K</b>	-	<b>H3P</b>	-	<b>F</b>	-	<b>Q</b>	-	<b>DB</b>	-	<b>L</b>
Series		Mount		Wattage/ Source		Lamp Orientation/Distribution		Lens		Voltage		Color		Options

### SERIES

**RCL** Raven Large

### MOUNT

**A4** Arm Mount (includes 4" rigid arm)  
**A10** Arm Mount (includes 10" rigid arm)\*  
**WB** Wall Bracket (arm not required or included)\*  
**WB44** Wall Bracket with 4" rigid arm  
**WB10** Wall Bracket with 10" rigid arm  
**0** No arm or wall bracket accessory

### WATTAGE/SOURCE

**METAL HALIDE**  
**H1K** 1000 watt (BT-56)  
**SUPER METAL HALIDE**  
**MS1K** 1000 watt (BT-56)  
**PULSE START METAL HALIDE**  
**P40** 400 watt (BT-37)  
**P75** 750 watt (BT-37)  
**P1K** 1000 watt (BT-37)

### SOURCE/WATTAGE con't

**HIGH PRESSURE SODIUM**  
**S40** 400 watt (ED-18)  
**S60** 600 watt (T-14)  
**S75** 750 watt (BT-37)  
**S1K** 1000 watt (E-25)

### LAMP ORIENTATION/DISTRIBUTION

**H2P** Horizontal II Performance Series (segmented)\*  
**H3P** Horizontal III Performance Series (segmented)  
**H4** Horizontal IV (multi-piece)  
**H4P** Horizontal IV Performance Series (multi-piece)  
**H5\*** Horizontal V (hydroformed)  
**H5P** Horizontal V Performance Series (segmented)

### LENS

**F** Flat  
**VOLTAGE**  
**Q** Quad-Tap\* 120/208/240/277V<sup>1</sup>  
**5** 480V  
**T** Tri-Tap\* 120/277/347V<sup>2</sup>  
**E** 50Hz 220/240V (250, 400 & 1000W MH, SMH & HPS only)  
**V** Five-Tap - 120/208/240/277/480V<sup>3</sup> (250 & 400W MH, SMH & HPS only)  
**0** No Ballast

### COLOR

**DB** Dark Bronze  
**BL** Black  
**WH** White  
**GR** Gray  
**PS** Platinum Silver  
**RD** Red (premium color)  
**FG** Forest Green (premium color)  
**CC** Custom Color (consult factory) (RAL# preferred)

### OPTIONS

**W1** 120V Wiring Prep  
**W2** 208V Wiring Prep  
**W3** 240V Wiring Prep  
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**RPA5** Round Pole Adapter (5")  
**RPA6** Round Pole Adapter (6")  
**F(X)** Fusing (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**P(X)\*** Photo Button (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**PR(X)** Photo Cell Receptacle (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**QZ** Quartz Restrike with 150W DC bayonet lamp  
**HS** Internal House Side Shield (all except Type V distributions)  
**VG** Polycarbonate Vandal Guard  
**R(XX)** Reveal (replace XX with color designation) EB option must be chosen with reveal option  
**EB** Embossed Band  
**L** Lamp

1 Factory wired for highest voltage unless specified.  
2 Required for 90° configurations.  
3 FDMLH, direct mount hardware kit required.  
4 Housing requires compact 1000W lamp.  
5. 400W Max. Not available in 480V.  
NOTE: All poles to be drilled with #2 pattern.

SPAULDING LIGHTING

SHEET # RAVEN-SPEC1/10



# RAVEN LARGE RCL SERIES

Cat. #		Approvals
Job	Type <b>DD</b>	

**SPAULDING  
LIGHTING**

### APPLICATIONS

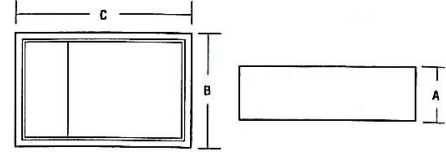
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### FEATURES

- Lightweight, rugged, one-piece formed and welded aluminum for smooth construction and weatherproofing. Pre-drilled for mounting. Decorative embossed band and reveal colors available.
- Extruded aluminum frame with rigid corner bracing and die-cast zinc latches for tool-free entry. Quality silicone gasketing seals out insects, dirt and moisture. Decorative silk screening conceals electrical compartment. Flat tempered and impact-resistant glass provide sharp full cutoff.
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- CWA type, HPF Ballast, starting rated at -20°F (-40°F for HPS).
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.

### LISTINGS/CERTIFICATIONS

- UL 1598 listed and CSA certified for outdoor use in wet locations.
- IDA fixture seal of approval.



	A	B	C	EPA	Weight
RCL	10.5"	22.25"	30"	2.6 ft. <sup>2</sup>	70 lbs
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NOTE: EPA and weight values do not include mounting arm.  
Four inch arm adds 0.2 ft<sup>2</sup> EPA. Ten inch arm adds 0.4 ft<sup>2</sup> EPA.



## ORDERING INFORMATION

### ORDERING EXAMPLE

**RCL** - **A4** - **P1K** - **H3P** - **F** - **Q** - **DB** - **L**  
 Series      Mount      Wattage/Source      Lamp Orientation/Distribution      Lens      Voltage      Color      Options

#### SERIES

**RCL** Raven Large

#### MOUNT

**A4** Arm Mount (includes 4" rigid arm)  
**A10** Arm Mount (includes 10" rigid arm)<sup>2</sup>  
**WB** Wall Bracket (arm not required or included)<sup>3</sup>  
**WB44** Wall Bracket with 4" rigid arm  
**WB10** Wall Bracket with 10" rigid arm  
**0** No arm or wall bracket accessory

#### WATTAGE/SOURCE

**METAL HALIDE**  
**H1K** 1000 watt (BT-56)  
**SUPER METAL HALIDE**  
**MS1K** 1000 watt (BT-56)  
**PULSE START METAL HALIDE**  
**P40** 400 watt (BT-37)  
**P75** 750 watt (BT-37)  
**P1K** 1000 watt (BT-37)

#### SOURCE/WATTAGE con't

**HIGH PRESSURE SODIUM**  
**S40** 400 watt (ED-18)  
**S60** 600 watt (T-14)  
**S75** 750 watt (BT-37)  
**S1K** 1000 watt (E-25)

#### LAMP ORIENTATION/DISTRIBUTION

**H2P** Horizontal II Performance Series (segmented)<sup>4</sup>  
**H3P** Horizontal III Performance Series (segmented)  
**H4** Horizontal IV (multi-piece)  
**H4P** Horizontal IV Performance Series (multi-piece)  
**H5<sup>4</sup>** Horizontal V (hydroformed)  
**H5P** Horizontal V Performance Series (segmented)

#### LENS

**F** Flat  
**VOLTAGE**  
**Q** Quad-Tap<sup>1</sup> 120/208/240/277V<sup>1</sup>  
**5** 480V  
**T** Tri-Tap<sup>1</sup> 120/277/347V<sup>1,2</sup>  
**E** 50Hz 220/240V (250, 400 & 1000W MH, SMH & HPS only)  
**V** Five-Tap - 120/208/240/277/480V<sup>1</sup> (250 & 400W MH, SMH & HPS only)  
**0** No Ballast

#### COLOR

**DB** Dark Bronze  
**BL** Black  
**WH** White  
**GR** Gray  
**PS** Platinum Silver  
**RD** Red (premium color)  
**FG** Forest Green (premium color)  
**CC** Custom Color (consult factory) (RAL# preferred)

#### OPTIONS

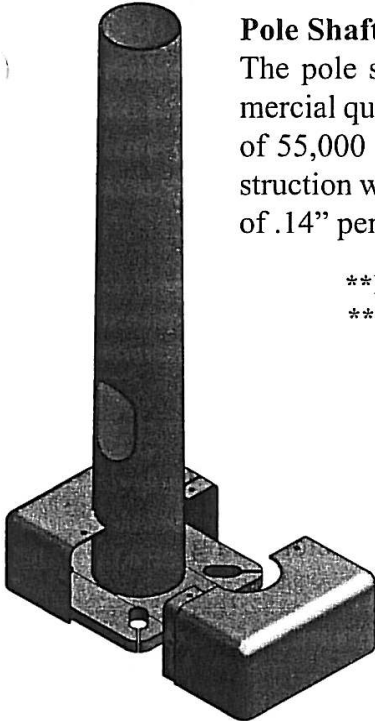
**W1** 120V Wiring Prep  
**W2** 208V Wiring Prep  
**W3** 240V Wiring Prep  
**W4** 277V Wiring Prep  
**W5** 480V Wiring Prep  
**W6** 347V Wiring Prep  
**RPA2** Round Pole Adapter (23/4"-31/8")  
**RPA3** Round Pole Adapter (31/4"-33/4")  
**RPA4** Round Pole Adapter (37/8"-41/2")  
**RPA5** Round Pole Adapter (5")  
**RPA6** Round Pole Adapter (6")  
**F(X)** Fusing (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**P(X)<sup>1</sup>** Photo Button (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**PR(X)** Photo Cell Receptacle (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)  
**QZ** Quartz Restrike with 150W DC bayonet lamp  
**HS** Internal House Side Shield (all except Type V distributions)  
**VG** Polycarbonate Vandal Guard  
**R(XX)** Reveal (replace XX with color designation) **EB** option must be chosen with reveal option  
**EB** Embossed Band  
**L** Lamp

<sup>1</sup> Factory wired for highest voltage unless specified.  
<sup>2</sup> Required for 90° configurations.  
<sup>3</sup> FDMHL, direct mount hardware kit required.  
<sup>4</sup> Housing requires compact 1000W lamp.  
<sup>5</sup> 400W Max. Not available in 480V.  
 NOTE: All poles to be drilled with #2 pattern.

SPAULDING LIGHTING

SHEET # RAVEN-SPEC1/10

# ROUND TAPERED STEEL POLES



## Pole Shaft Specifications

The pole shaft is fabricated from a weldable grade, hot-rolled commercial quality carbon steel with a guaranteed minimum yield strength of 55,000 psi after fabrication. It is a one piece or two piece\*\* construction with a full length, longitudinal weld. The pole tapers at a rate of .14" per foot.

\*\*Poles greater than 39' are of two piece, slipfit construction.

\*\*We reserve the right to use a pole top adaptor for the use of direct mounting of fixtures, as deemed necessary.

## Base Plate Cover

A full base plate cover is supplied. For 20' - 35' poles, the base cover is automotive structural grade ABS plastic with UV inhibitor to eliminate color fading. It is rust proof and tamper resistant. For poles 39' - 60', the base cover is made of two piece formed sheet steel.

ROUND TAPERED STEEL POLES											
Catalog Number	Mtg. Ht. (ft.)	*Effective Projected Area (sq. ft.)				Shaft Dimensions			Base Information (in.)		Base Plate (in.) (L x W x H)
		80	90	100	120	Butt (in.)	Top (in.)	Wall (ga.)	Anchor Bolt Dia.	Bolt Circle	
CPS-2-5211-20	20	12.2	9.8	7.9	5.6	5.2	2.4	11	.75 x 28	9.5	10 x 10 x .75
CPS-2-6511-20	20	28.6	23.2	18.7	13.0	6.5	3.7	11	1 x 40	10.0	11 x 11 x 1
CPS-2-5911-25	25	9.4	7.6	6.2	4.4	5.9	2.4	11	.75 x 28	9.5	10 x 10 x .75
CPS-2-7011-25	25	22.0	17.8	14.4	10.0	7.0	3.5	11	1 x 40	10.0	11 x 11 x 1
CPS-2-6511-30	30	8.1	6.6	5.3	3.8	6.5	2.4	11	1 x 40	10.0	11 x 11 x 1
CPS-2-8011-30	30	22.1	17.9	14.5	10.0	8.0	3.8	11	1 x 40	11.0	12 x 12 x 1
CPS-2-8511-35	35	19.3	15.6	12.6	9.0	8.5	3.6	11	1 x 40	11.5	12 x 12 x 1
CPS-2-9011-39	39	17.9	14.5	11.7	8.2	9.0	3.5	11	1 x 40	12.5	13 x 13 x 1
CPS-2-1011-39	39	23.3	18.8	15.2	10.7	10.0	4.7	11	1 x 40	13.5	14 x 14 x 1
CPS-2-1207-39	39	63.4	51.3	41.4	29.0	12.0	6.7	7	1.5 x 60	16.0	17 x 17 x 1.5
CPS-2-1011-45	45	12.5	10.1	8.2	5.8	10.0	3.9	11	1 x 40	13.5	14 x 14 x 1
CPS-2-1207-45	45	40.8	33.0	26.7	18.8	12.0	5.8	7-11	1.5 x 60	16.0	17 x 17 x 1.5
CPS-2-1011-50	50	9.3	7.6	6.1	4.3	10.0	3.1	11	1 x 40	13.5	14 x 14 x 1
CPS-2-1207-50	50	33.4	27.1	21.8	15.3	12.0	5.1	7-11	1.5 x 60	16.0	17 x 17 x 1.5
CPS-2-1207-60	60	19.2	15.5	12.5	8.8	12.0	5.1	7-11	1.5 x 60	16.0	17 x 17 x 1.5

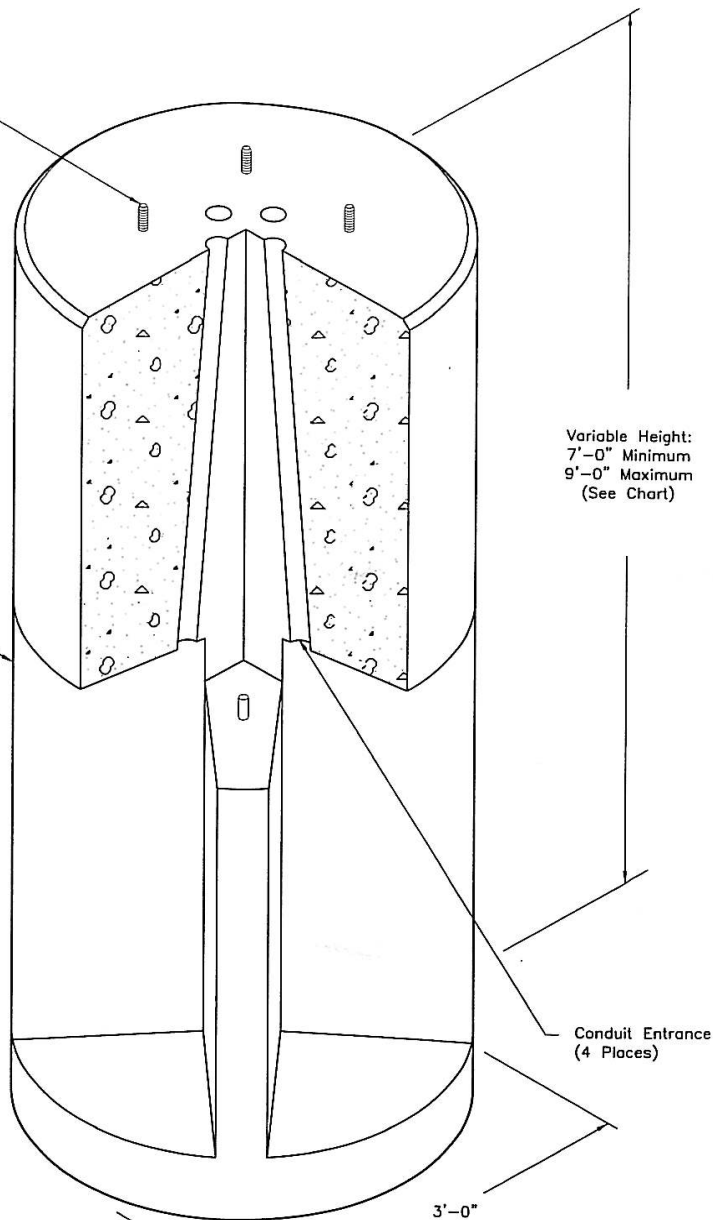
\* EPA ratings include a 1.3 gust factor.

• Anchor Bolts should be set using factory supplied anchor bolt templates.

# 36R-LB

Anchor Bolt  
Size and Spacing as Required  
Customer to Supply  
(4 Places in Top)  
Minimum Bolt Circle = 8" Dia.  
Maximum Bolt Circle = 26" Dia.

LAMP POLE FOOTING  
No. 36R-LB



Variable Height:  
7'-0" Minimum  
9'-0" Maximum  
(See Chart)


Conduit Entrance  
(4 Places)

3'-0"

VARIABLE HEIGHT CHART		
Catalog No.	Height	Weight
36R-7-LB	7'-0"	5,310 lbs.
36R-8-LB	8'-0"	6,370 lbs.
36R-9-LB	9'-0"	7,430 lbs.

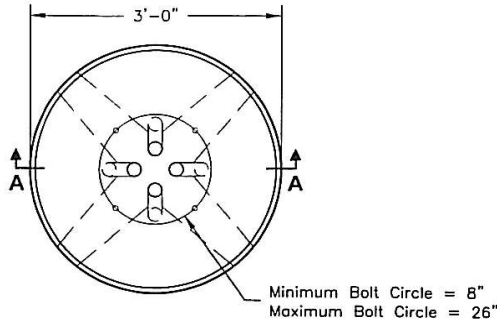
Note:  
- Customer is responsible for setting lamp pole footing.  
- Footings should be selected using Structural Code  
and/or consultation with Professional Engineer.

Scale: 3/4" = 1'-0"

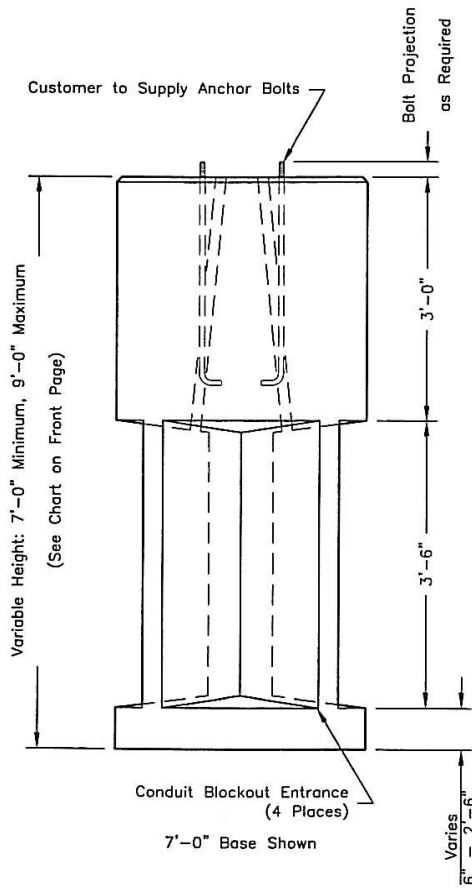
 <p><b>UTILITY VAULT™</b> a division of <b>Oldcastle Precast, Inc.</b> PO Box 323, Wilsonville, Oregon 97070-0323 Tel: (503) 682-2844 Fax: (503) 682-2657</p>	<b>36R-LB</b>	<b>36R-LB PRECAST FOOTING FOR LAMP POLE</b>
	File Name: 020UEF36RLB1	
	Issue Date: 2005	
	<a href="http://www.uvwilsonville.com">www.uvwilsonville.com</a>	



# 36R-LB



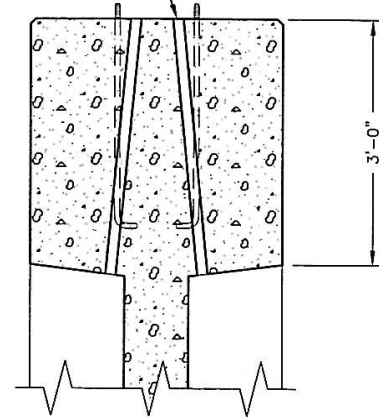
**PLAN VIEW**



**SIDE VIEW**


Note:  
- Lamp pole footing is set using lift plate secured to anchor bolt with nut. (2 Places)

2" Dia. PVC Conduit Chase (4 Places)  
(Not Intended to be Non-Metallic Conduit)



**SECTION AA**

Scale: 1/2" = 1'-0"

 <p><b>UTILITY VAULT™</b> a division of <b>Oidcastle Precast, Inc.</b> PO Box 323, Wilsonville, Oregon 97070-0323 Tel: (503) 682-2844 Fax: (503) 682-2657</p>	<b>36R-LB</b>	<b>36R-LB PRECAST FOOTING FOR LAMP POLE</b>
	File Name: 020UEF36RLB2	
	Issue Date: 2005	
	<a href="http://www.uvwilsonville.com">www.uvwilsonville.com</a>	

# CYLINDERS

## 300 LINE ENCLOSED DOWNLIGHT

FF

### SPECIFICATIONS

**HOUSING:** Housings are diecast aluminum in a single-piece cylindrical form of corrosion resistant alloy, 1/8" min. wall thickness. Units are 7.5" in diameter and 12" in height, nominal measurements.

#### MOUNTING:

**Arm Mount to Pole (A):** Luminaire mounts to pole with an extruded aluminum 2" x 5" arm. Available in 6" incremental lengths from 6" minimum up to 48" maximum. Maximum arm length is 48". Standard length is 6", and will be provided if no length is indicated. If not mounted to top of pole, an additional handhole on pole is required to permit installation. Provide information as to size and type of pole.

**Ceiling (C):** Provides for direct ceiling mount as shown.

**Pendant Assembly (P):** Swivel pendant assembly with locking set screws. Stated length is the distance from the ceiling to the top of the luminaire and takes into account the mounting hardware. Available in 6" incremental lengths from 6" minimum up to 144" maximum. Maximum pendant length is 144". Standard length is 18", and will be provided if no length is indicated. Swivel pendant can accommodate 35° sloped ceiling maximum.

**Wall Bracket (W):** Cast aluminum canopy with integrated aluminum arm secured to housing with (2) 5/16" bolts. Requires mounting to a structural member of the building.

#### LIGHT CONTROL (Trim):

**Lens (L):** Lens units consist of a Solite® glass lens mounted to a die cast aluminum trim support assembly.

**Lens with Louver (LL):** Lens with louver units consist of a Solite® glass lens mounted to a die cast aluminum trim support assembly, including 1 5/8" x 1 5/8" square louvers with a nominal depth of 1".

**ELECTRICAL:** Internal ballast will be provided based on the specified lamp configuration. Standard fluorescent ballasts are solid state. Fluorescent units have a starting temperature of 0°F (-18°C).

**LAMPHOLDER:** Pulse rated medium base lampholders are glazed porcelain with nickel-plated screw shell. Fluorescent lampholders are high temperature thermoplastic (PBT) with brass alloy contacts.

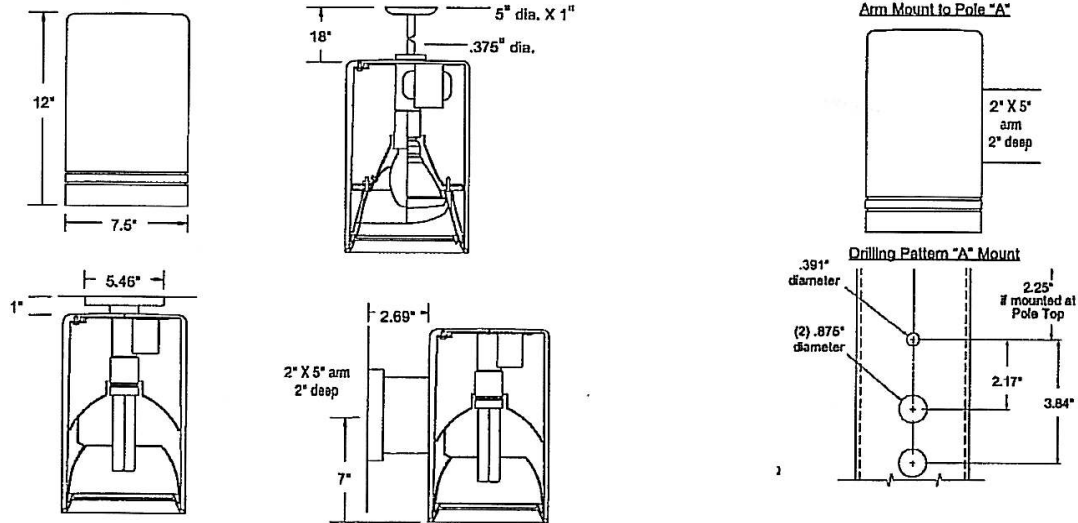
**FINISH:** Each luminaire receives a fade and abrasion resistant, electrostatically applied, thermally cured, textured TGIC polyester powdercoat finish.

**LABELS:** All luminaires bear UL or CUL (where applicable) Wet Location labels.

**FULL CUTOFF PERFORMANCE:** Full cutoff performance means a luminaire distribution where zero candela intensity occurs at an angle of 90° above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10 percent) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

**CUTOFF PERFORMANCE:** Cutoff performance means a luminaire distribution where the candela per 1000 lamp lumens does not numerically exceed 25 (2.5 percent) at an angle at or above 90° above nadir, and 100 (10 percent) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

### DIMENSIONS AND MOUNTING DETAIL



Gardco Lighting reserves the right to change materials or modify the design of its product without notification as part of the company's continuing product improvement program. Solite is a Registered Trademark of AFG Industries.

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A Genlyte Company

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San Marcos, TX 78666

(800) 227-0758  
(512) 753-1000  
FAX: (512) 753-7855  
www.sitelighting.com





## 102 PERFORMANCE SCENCE

GG

The Gardco 102 Rounded Wedge high performance sence offers an excellent alternative to unsightly wall mounted fixtures. These architecturally refined luminaires are designed to integrate naturally to wall surfaces. The 102 luminaires are available with three (3) different distribution patterns - a wide throw, a medium throw and a forward throw. Each luminaire is designed to accept sources up to 175MH. Housings are sealed throughout, completely excluding moisture, dust, insects and contaminants.

### ORDERING

PREFIX	DISTRIBUTION	WATTAGE	VOLTAGE	FINISH	OPTIONS

Note: Gardco reserves the right to refuse a configuration. Not all combinations and configurations are valid. Refer to notes below for exclusions and limitations. For questions or concerns, please consult the factory. For current ordering information, refer to the specification data sheet on our website at <http://www.sitelighting.com>.

### PREFIX

- 102 Rounded Wedge
- 102EM Emergency Sence
- 102EMR Remote Emergency Sence

### DISTRIBUTION

- FT Forward Throw *Not Available with Fluorescent Lamps*
- WT Wide Throw *Not Available with Fluorescent Lamps*
- MT Medium Throw

Refer to configuration Chart below for available combinations.

### WATTAGE AND VOLTAGE

#### LAMP/VOLTAGE CHART - 102

E12	Voltage:					
	120	208	240	277	347	480
50MH	•					
70MH	•					
100MH	•	•	•	•	•	•
150MH	•	•	•	•	•	•
175MH	•	•	•	•	•	•
35HPS	•					
50HPS	•					
70HPS	•	•	•	•	•	•
100HPS	•	•	•	•	•	•
150HPS	•	•	•	•	•	•
50CMHE <sup>1</sup>					UNIV	
70CMHE <sup>1</sup>					UNIV	
100CMHE <sup>1</sup>					UNIV	
Fluorescent						
26QF <sup>1</sup>					UNIV	•
226QF <sup>1</sup>					UNIV	•
32TRF <sup>1</sup>					UNIV	•
42TRF <sup>1</sup>					UNIV	•

#### CONFIGURATION CHART - 102EM

Fluorescent	Distribution			Voltage					
	FT	WT	MT	120	208	240	277	347	480
226QF			•					•	
42TRF			•					•	

#### CONFIGURATION CHART - 102EMR

Fluorescent	Distribution			Voltage					
	FT	WT	MT	120	208	240	277	347	480
226QF			•					•	
42TRF			•					•	

Combinations marked with a dot are available for ordering.  
 MH - Metal Halide CMHE - Ceramic Metal Halide with Electronic Ballast  
 HPS - High Pressure Sodium QF - Quad Fluorescent  
 TRF - Triple Tube Fluorescent

1. Fluorescent and CMHE luminaires feature electronic ballasts that accept 120V through 277V, 50Hz to 60Hz, input. Specify "UNIV" voltage for 120V through 277V.

### FINISH

- BRP Bronze Paint
- BLP Black Paint
- WP White Paint
- NP Natural Aluminum Paint
- BGP Beige Paint
- OC Optional Color Paint  
Specify RAL designation  
ex. OC-RAL7024
- SC Special Color Paint  
Specify: Must supply color chip

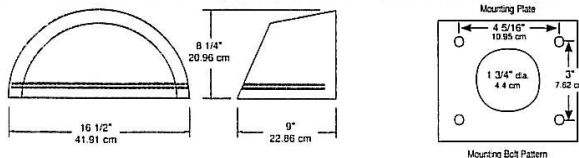
### OPTIONS

- F Fusing 120V through 277V only
- PCB Button Type Photocontrol n/a w/480V
- QS<sup>2</sup> Quartz Standby
- QST<sup>2</sup> Qu Quartz Standby - Timed Delay
- Q924<sup>1</sup> Quartz 12V Emergency
- Q12V<sup>1</sup> Quartz 12V Emergency
- SL 5° Uplight
- UT 5° Uplight

- WLU Wet Location Door for Inverted Mount  
*Not available with WG option.*
- WS Wall Mounted Box for Surface Conduit *Rear entry permitted.*
- WS/UT WS Option w/5° Uplight *Rear entry permitted.*
- WG Wire Guard *Not available with WLU option.*
- POLY Polycarbonate Sag Lens *100w HID maximum.*

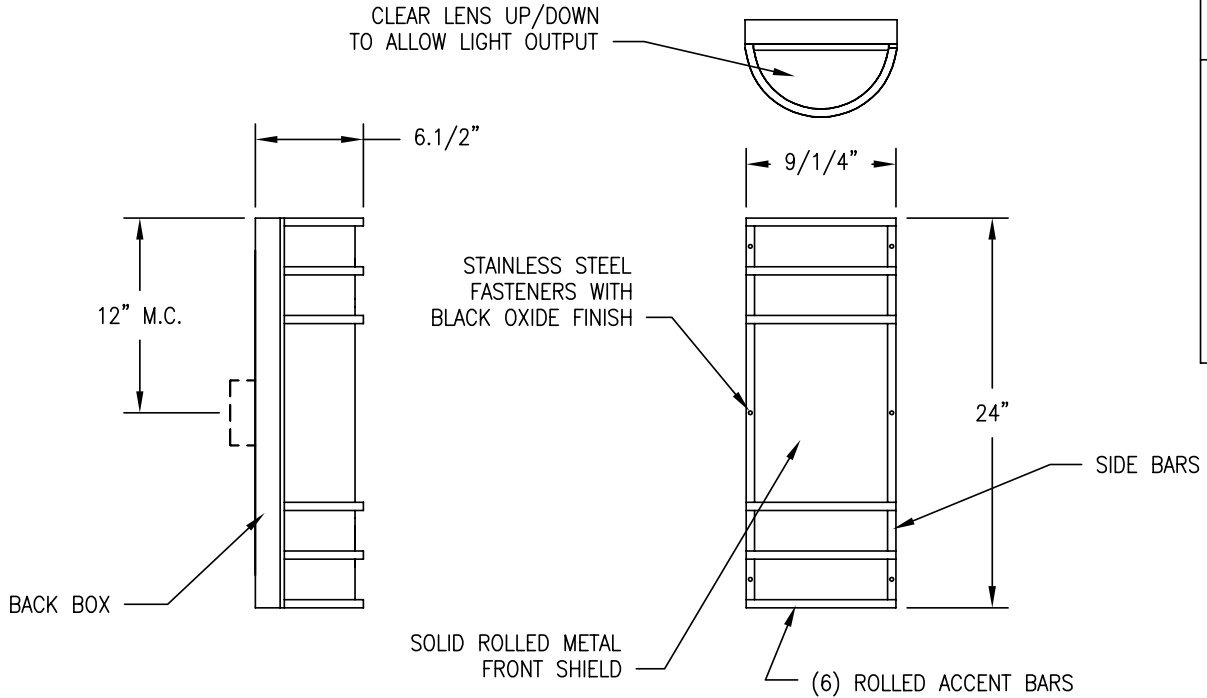
**EMR Luminaires Only:**  
 • B94CC\* Bodine Emergency Battery Pack  
 B94CG\* Bodine Remote Emergency Pack - Canada  
 \*Emergency Battery Packs for EMR types MUST be ordered with luminaires and supplied by Gardco.

### DIMENSIONS



Note: Mounting plate center is located in the center of the luminaire width and 3.5" (8.89cm) above the luminaire bottom (lens down position). Splices must be made in the J-box (by others). Mounting plate must be secured by max. 5/16" (.79cm) diameter bolts (by others) structurally to the wall.

PLEASE MARK ANY CHANGES TO THE SPECIFICATIONS AS SHOWN. IF NONE ARE INDICATED, VISA LIGHTING WILL PROVIDE THE PRODUCT AS SHOWN. DESIGN MODIFICATION RIGHTS RESERVED.



REV A  
DWG # : 39109-12

HOUSING: GASKETED SOLID ROLLED METAL HALF-CYLINDER FASTENED TO AN ALUMINUM FRAME HOUSING, ATTACHED TO AN ALUMINUM BACKBOX WITH STAINLESS STEEL SCREWS.

FINISH: ROLLED ACCENT BARS AND SIDE BARS ARE PAINTED, THERMOSET ACRYLIC POWDER COAT, ONE OF VISA'S STANDARD COLORS. COLOR SELECTION: \_\_\_\_\_

FINISH: SOLID ROLLED FRONT SHIELD IS PAINTED, THERMOSET ACRYLIC POWDER COAT, ONE OF VISA'S STANDARD COLORS. COLOR SELECTION: \_\_\_\_\_

FINISH: BACK BOX IS PAINTED, THERMOSET ACRYLIC POWDER COAT, ONE OF VISA'S STANDARD COLORS. COLOR SELECTION: \_\_\_\_\_

MOUNTING: MOUNTS TO 4" OCTAGONAL ELECTRICAL BOX (BY OTHERS) WITH A UNIVERSAL MOUNTING STRAP AND HARDWARE PROVIDED. SEE MOUNTING CENTER DIMENSION (M.C.) ON ABOVE DRAWING TO LOCATE THE CENTER OF THE BOX TO THE TOP OF THE FIXTURE. AUXILIARY MOUNTING HOLES ALSO SUPPLIED.

LAMPING: PROVISIONS FOR (2)-20W, MR16, ANSI M156, GX10 BASE, METAL HALIDE LAMPS. (ONE UP / ONE DOWN)

BALLAST: PROVIDED WITH 120V, 0.40A, ELECTRONIC, METAL HALIDE, INTEGRAL TO FIXTURE.

NOTE: THIS FIXTURE IS SUITABLE FOR WET LOCATIONS.

Please contact Nancy Ramdon-Connolly at NESCO for further inquiries.  
Tel: 415.307.8579 Email: nramdon@nescoweb.com

<input type="checkbox"/>	APPROVED WITH NOTED CHANGES	DATE
<input type="checkbox"/>	REVISE AND RESUBMIT	
SIGNATURE		

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VISA LIGHTING, 1717 WEST CIVIC DRIVE, MILWAUKEE, WI. 53209 \* 414-354-6600 \* 414-354-7436 \* www.visalighting.com





**DESCRIPTION**

695-WP Half Pyramid with direct illumination.

<b>Catalog #</b>		<b>Type</b>	
<b>Project</b>		<b>Date</b>	
<b>Comments</b>			
<b>Prepared by</b>			

**SPECIFICATION FEATURES**

**Material**

Solid bronze construction with a clear textured refractive glass lens for MH and incandescent or white acrylic lens for CFL lamps. Optional tempered clear lens for full cut-off applications.

**Finish**

Natural bronze or two component polyurethane paint, 2.5 mil nominal thickness for superior protection against fade or wear. Standard: Natural Bronze (NBZ) [Sustainable Design]. Note: Bronze will weather to a dark bronze patina. Premium: White (WH), Black (BK), Grey (GY), Silver Metallic (SM), Gold Metallic (GM), Bronze Metallic (BM), Dark Platinum (DP), Graphite Metallic (GRM), Verdigris (VG) or Custom Color (CC).

**Optics**

Refer to [www.shaperlighting.com](http://www.shaperlighting.com) for complete photometrics.

**Ballast**

Integral electronic CFL HPF multi-volt 120V/277V (347V Canada), thermally protected with end-of-life circuitry to accommodate specified lamp wattage. Integral metal halide ballast is magnetic HPF, coil and core multi-volt 120/277V for the specified lamp wattage. 347V ballast for metal halide - Contact factory.

**Lamp/Socket**

18": One (1) 26W or 32W (GX24q-3) 4-pin triple tube CFL lamp or one (1) 75W A-19 lamp.  
24": Two (2) 26W or 32W (GX24q-3) 4-pin triple tube CFL lamps or one (1) 50W, 70W or 100W ED-17 metal halide lamp or two (2) 75W A-19 lamps.  
CFL socket injection molded plastic. INC socket fired ceramic rated for 660W-250V. Metal halide socket is ceramic pulse-rated, 4KV. Lamps furnished by others.

**Installation**

Supplied with a universal mounting back for a standard 4" J-box or plaster ring. Optional rear (through wall) feed conduit mounting.

**Options**

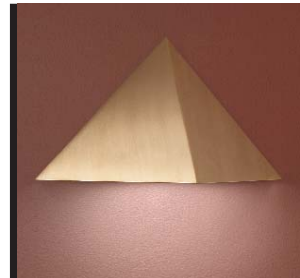
Quartz Restrike (QS), Rear (through wall) Feed Conduit Mounting (C), Photocell (PH), Tempered Clear Glass (TGL) - full cut-off applications [Dark Sky Compliant]. Energy Star Rating - Contact factory.

**Labels**

U.L. and C.U.L. listed for wet location.

**Modifications**

Shaper's skilled craftspeople with their depth of experience offer the designer the flexibility to modify standard exterior wall luminaires for project specific solutions. Contact the factory regarding scale options, unique finishes, mounting, additional materials/colors, or decorative detailing.



**695-WP SERIES**

Exterior Wall Luminaire  
Half Pyramid



**ORDERING INFORMATION**

Sample Number: 695-WP-18-CFL/1-277V-GRM-PH

--	--	--	--	--	--

<b>Series</b> 695-WP = Half Pyramid	<b>Size</b> 18" 24"	<b>Lamp</b> CFL/1 (26/32W-Triple) CFL/2 (26/32W-Triple) INC/1/75 <sup>1</sup> INC/2/75 <sup>2</sup> MH/1/50 <sup>2</sup> MH/1/70 <sup>2</sup> MH/1/100 <sup>2</sup>	<b>Voltage</b> 120V 277V <sup>3</sup> 347V <sup>4</sup>	<b>Finish <sup>5</sup></b> <u>Standard</u> NBZ = Natural Bronze <u>Premium</u> BK = Black BM = Bronze Metallic CC = Custom Color DP = Dark Platinum GM = Gold Metallic GRM = Graphite Metallic GY = Grey SM = Silver Metallic VG = Verdigris WH = White	<b>Options</b> C = Rear (through wall) Feed Conduit Mounting PH = Photocell QR = Quartz Restrike <sup>6</sup> TGL = Sandblasted Tempered Glass Lens <sup>7</sup>
--	---------------------------	--	--	--	--

**Notes:**

- <sup>1</sup> Available in 18".
- <sup>2</sup> Available in 24".
- <sup>3</sup> CFL and MH only.
- <sup>4</sup> Available with CFL only.
- <sup>5</sup> Bronze will weather to a dark bronze patina.
- <sup>6</sup> Available with MH only.
- <sup>7</sup> For CFL and INC lamping (TGL is standard with MH lamping).

**DARK SKY**

Shaper offers a selection of exterior luminaires that are "Dark Sky Compliant". The IESNA (Illuminating Engineering Society of North America) defines Full Cut-Off as fixtures with light distributions of 0% candela at 90° and 10% at 80°. Full Cut-Off luminaires carry the endorsement of the International Dark-Sky Association (IDA) for their effectiveness in limiting the detrimental effects of sky glow, also referred to as "Light Pollution". Many exterior luminaires offer a clear, tempered glass option that meets the IES criteria for Full Cut-Off.

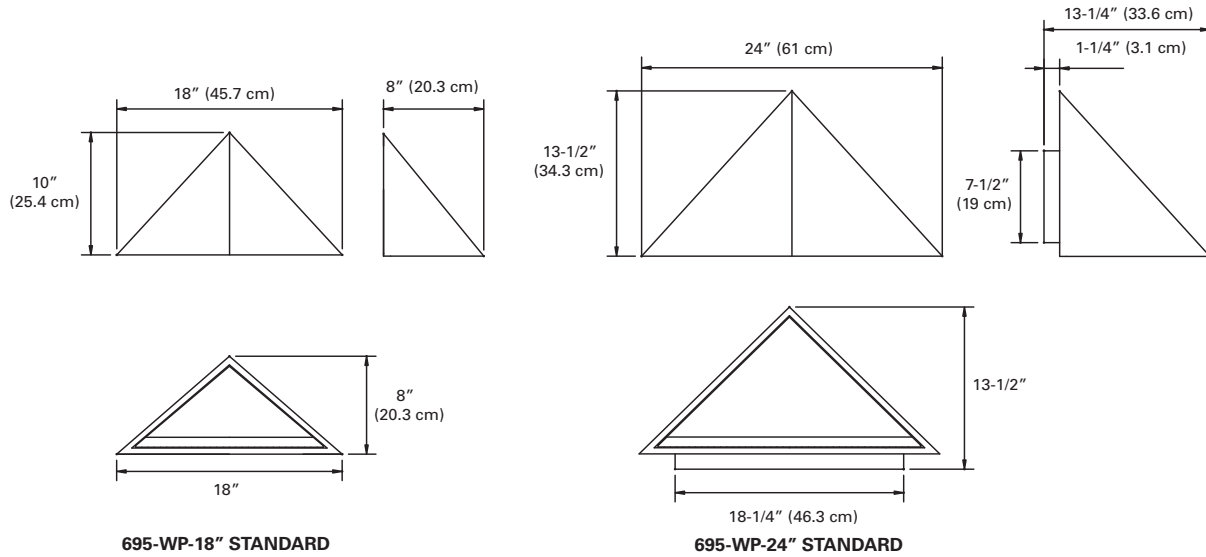
**SUSTAINABLE DESIGN**

Shaper has a long-standing history of offering environmentally-friendly fixtures. The copper and bronze alloys used in our exterior luminaires feature up to 98% recycled content, contribute less undesirable air emissions compared to painted aluminum and are easy to recycle.

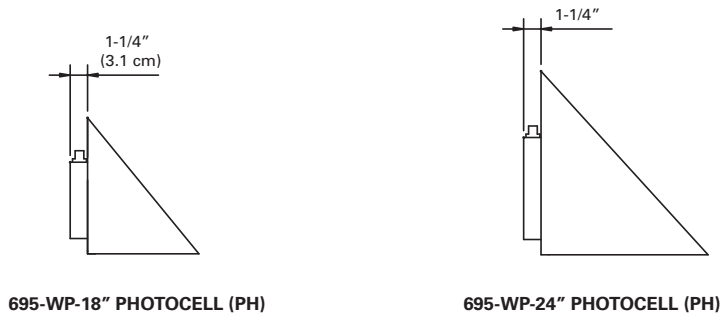
Refer to the Icon Legend  
Link on [shaperlighting.com](http://shaperlighting.com).



**DIMENSIONS**



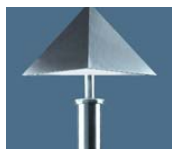
**STANDARD OPTIONS**



**COMPANION PRODUCTS**

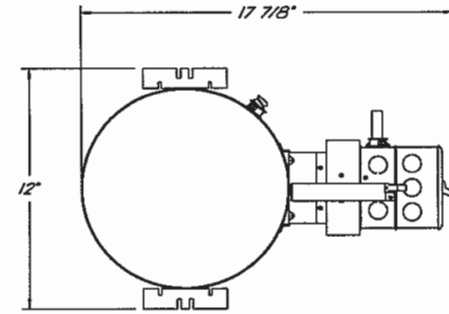
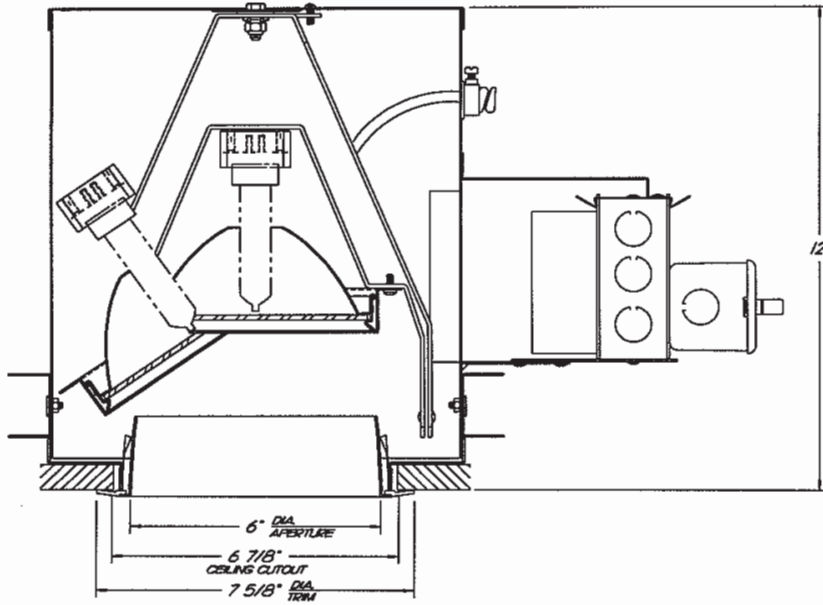


695-WP-DB



995-PT

Type CA Model# SP14808-70E-BAC-MFL





TOP VIEW

SPECIFICATIONS

- MOUNTING: ADJUSTABLE BRACKETS ACCEPT 1-1/2" C-CHANNEL OR INDY "TRU-LOCK" BARS.
- J-BOX ASSY: UL LISTED FOR THRU WIRING W/SWITCH (GRID CEILING).
- YOKES: HEAVY GAUGE STEEL WITH BLACK BAKED ENAMEL FINISH WITH LAMP ADJUSTING RING.
- TILT/ROTATE: 35°/35°.
- CONE: BLACK ALZAK 2" HIGH WITH MUFFIN TAN POLYCARBONATE TRIM RING.
- LAMP: 39W OR 70W T6 METAL HALIDE ONLY (BY OTHERS).
- BALLAST: 120/277V AROMAT ELECTRONIC.
- HOUSING: COLD ROLLED STEEL HOUSING WITH BLACK BAKED ENAMEL FINISH.
- SWITCH: 120/277V UL/CSA
- REFLECTOR: MEDIUM FLOOD BEAM SPREAD.
- LENS: FLAT CLEAR GLASS
- FIXTURE UL/CSA LISTED DAMP LOCATION.

SP14808

CATALOG NO.	WATTAGE	VOTAGE
SP14808-39E-BAC-MFL	39W	120/277V
SP14808-70E-BAC-MFL	70W	120/277V

 <b>JUNO LIGHTING GROUP</b> 	12001 Exit Five Pkwy Fishers, IN 46037			
	<b>REC INTERNALLY ADJ METAL HALIDE</b> 39W OR 70W T6 METAL HALIDE			
PROJECT	SP14808	DRAWN	TH	DWG. NO. 15942
SCALE	NONE	REV	DATE	
			11/10/06	

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# Willoughby

## Hearing Aid Centers



Trusted Since 1949

**Willoughby Hearing Aid Centers, Inc.**  
1939 E. Burnside St. • Portland, OR 97214  
503-233-6141 • Fax 503-233-2889  
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### Willoughby Hearing Aid Center Locations

1150 Garfield St.  
Eugene, OR 97402  
541-345-9748  
Fax 541-345-6315

358 Warner Milne Rd.  
Suite G-100  
Oregon City, OR 97045  
503-655-8918  
Fax 503-657-9242

15577 SW 116th Ave.  
King City, OR 97224  
503-968-6445  
Fax 503-968-8968

320 NW Burnside St.  
Gresham, OR 97030  
503-667-3832  
Fax 503-667-3103

2222 Broadway St.  
North Bend, OR 97459  
541-756-8944  
Fax 541-756-8944

3865 SW Hall Blvd.  
Beaverton, OR 97005  
503-469-1900  
Fax 503-469-4544

675 N 5th St., Suite A  
Jacksonville, OR 97530  
541-899-9194  
Fax 541-899-1519

3066 Lancaster Dr. NE  
Salem, OR 97305  
503-315-2055  
Fax 503-315-2057

7722 NE Hazel Dell Ave.  
Vancouver, WA 98665  
360-260-2898  
Fax 360-696-9517

**In-Home Services**  
Toll Free 1-877-WILLHEAR  
(945-5432)

October 22, 2010

Mr. Pete Walter  
City of Oregon City  
Planning Division  
221 Molalla Avenue Suite 221  
P.O. Box 3040  
Oregon City, OR 97045

Email: [pwalter@ci.oregon-city.or.us](mailto:pwalter@ci.oregon-city.or.us)

RE: CP 10-1 / DP 10-02 / WR 10-03

Dear Mr. Walter:

As a business owner located in the Hilltop Mall Shopping Center I would like to add my support to the redevelopment project being presented October 25.

The many businesses in the center need the additional traffic a grocery store will generate. Our businesses support many Oregon City families. Our property taxes and city fees also support the local community. Our businesses provide convenient shopping for Oregon City residents. Redevelopment of an existing site is very positive.

Please approve the redevelopment of the Danielson Hilltop Mall Shopping Center.

Sincerely,

Scott L. Austin  
President/CEO

**Pete Walter**

---

**From:** jo crenshaw [jhbc44@msn.com]  
**Sent:** Sunday, November 07, 2010 1:33 PM  
**To:** Pete Walter  
**Subject:** Hilltop Mall Shopping Center

Dear Mr. Walter:

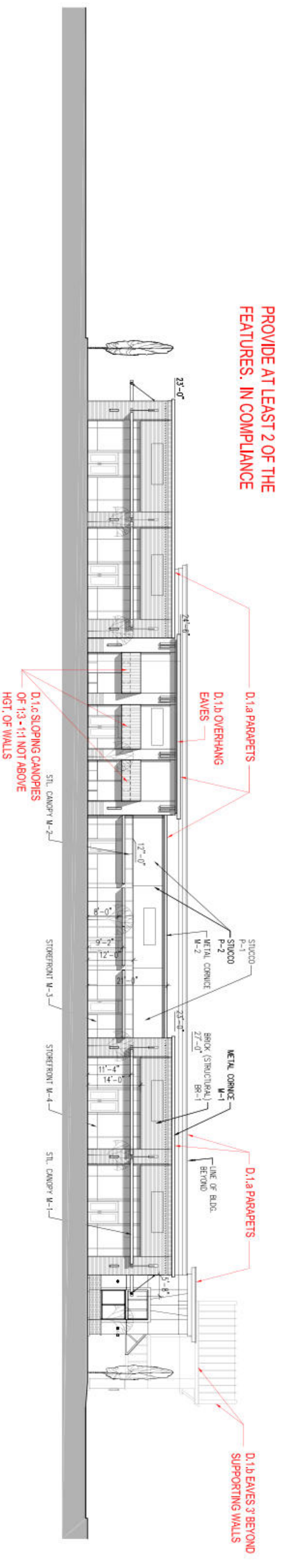
For the past twenty years I have been a business owner located in the Hilltop Mall Shopping Center. I sincerely endorse and support the redevelopment project # CP 10-1/DP 10-2/WR 10-03. It is an excellent project that will support the needs of this community.

We need the grocery store and the increased revenue for the community of Oregon City. My business employes and support many familes in the area and with the additional taxes and fees that this project will bring, means a win-win for us all.

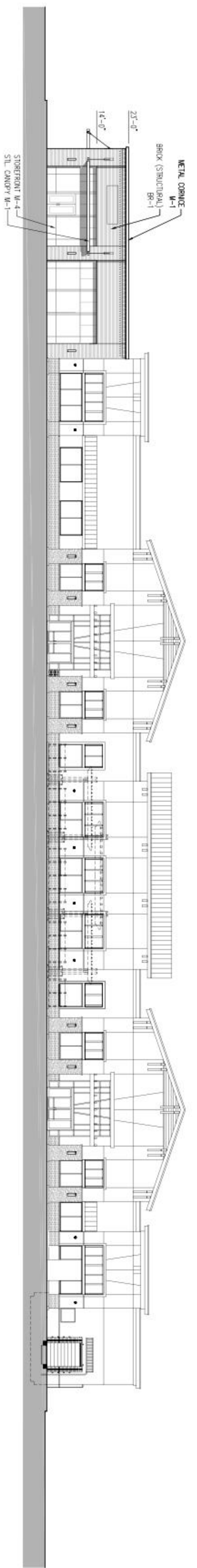
I would like to see this project completed as soon as possible as an empty building and site is a magnet for theft and vandalism. Redevelopment of this site is a positive move for all of us. I am asking you to please approve the redevelopment of The Danielson Hilltop Mall Sgopping Center.

Sincerely,  
Jo Crenshaw, Owner/Operator  
McDonald's Resturant  
1450 Molalla  
Oregon City, Or. 97045  
[jhbc44@msn.com](mailto:jhbc44@msn.com)

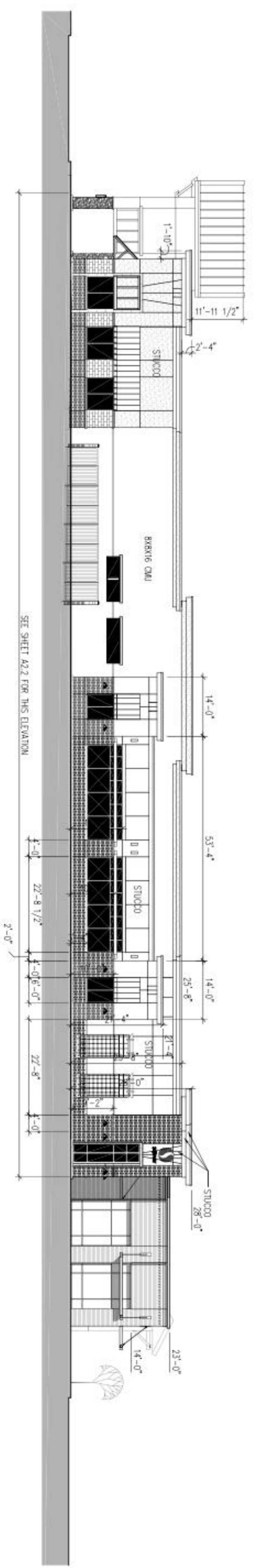




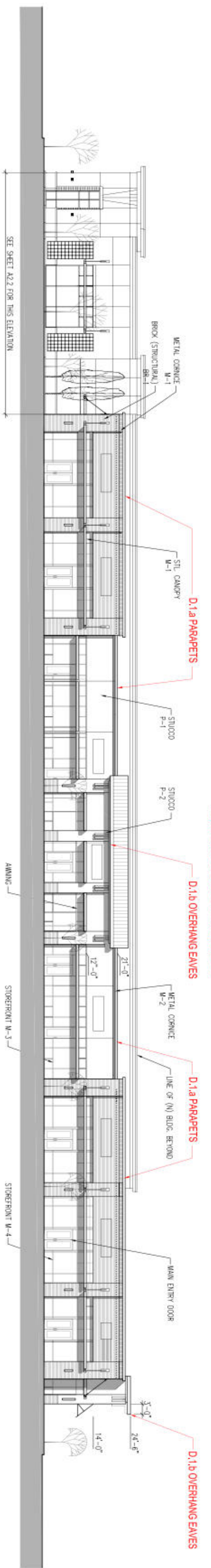
**A** EAST ELEVATION  
1/8" = 1'-0"



**B** NORTH ELEVATION  
1/8" = 1'-0"



**C** WEST ELEVATION  
1/8" = 1'-0"



**D** SOUTH ELEVATION  
1/8" = 1'-0"

PROVIDE AT LEAST 2 OF THE FEATURES, IN COMPLIANCE

PROVIDE AT LEAST 2 OF THE FEATURES, IN COMPLIANCE

**EXTERIOR ELEVATIONS**  
HILLTOP CENTER  
1500 MOLALLA AVE.  
OREGON CITY, OREGON 97045

UPDATED  
11-05-10

1200 NW NAITO PARKWAY  
SUITE #550  
PORTLAND, OREGON  
97209  
TEL: 503-227-5844  
FAX: 503-227-8490

**THE ROMMEL ARCHITECTURAL PARTNERSHIP**

SHEET NUMBER  
**A2.3**

REVISIONS	DATE
DRAWN: KR	
CHECKED: GSR	
FILE NAME:	
PLOT SCALE: 1	
JOB#:	



### REVISED RECOMMENDED CONDITION OF APPROVAL #3

To improve pedestrian and vehicular connectivity through the site in compliance with OCMC 17.52..070, OCMC 17.62.050.A.8 and A.9, meet the intent of Oregon City's adopted street standards, and provide a complete urban street design and level of service, the applicant shall construct or extend the proposed NS and EW private streets referred to as "EW" Street running east-west from the McDonalds intersection at Molalla Avenue and the "NS" Street running north-south from the Beaver Creek Road signalized intersection to Warner Milne Road to achieve the following design objectives:

- a. Minimize vehicular backing movements into the main drive aisles;
- b. Separate vehicle and pedestrian access;
- c. Provide complete pedestrian connections on both sides of the drive aisles to the extent practicable; and
- d. Provide trees and landscaping that complies with OCMC 17.52.

Improvement thresholds:

The improvements shall be triggered as follows:

1. When \$100,000 of development costs have been exceeded within a sphere of influence, as identified in Ex.\_\_\_\_, the applicant shall install pedestrian, vehicular, etc. improvements, as identified above, to enhance the NW and EW connectivity within the sphere of influence. This \$100,000 trigger for improvements shall be imposed at the time the owner or a tenant requests a City-issued permit including but not limited to detailed development review, site plan and design review, a building, electrical or plumbing permit. This total development cost of \$100,00 shall be considered in the aggregate with any other permit-triggered property improvements made after approval of this master plan. This obligation shall not be construed to exempt or otherwise establish compliance with any improvement obligations triggered by the expansion of a non-conforming use or structure as provided by OCMC 17.58.
2. Based on the applicant's conceptual phasing plan, all remaining unimproved portions of the NS and EW streets shall be installed no later than 15 years after the date of adoption of this plan.