

PLANNING COMMISSION AGENDA
City Commission Chambers - City Hall
625 Center Street, Oregon City, Oregon 97045
June 28, 2010 at 7:00 p.m.

REVISED

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)

1. CALL TO ORDER

2. ADOPTION OF MINUTES

- a. June 14, 2010 Draft Minutes

3. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

4. PLANNING COMMISSION HEARING

- a. CU 10-01 and SP 10-01. Conditional Use and Site Plan and Design Review for a Religious Institution with a New Education Building and Pre-school for Atkinson Memorial Church.

5. ADJOURN

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**CITY OF OREGON CITY
PLANNING COMMISSION HEARING**

June 14, 2010, 7:00 P.M.
City Commission Chambers - City Hall

1. CALL TO ORDER

Commissioner LaJoie called the meeting to order at 7 p.m.

Roll Call:	Staff Present:
Commissioner Dan Lajoie	Tony Konkol, Community Development
Commissioner Carter Stein	Director
Commissioner	Chris Pete Walter, Associate Planner
Groener	Carrie Richter, Assistant City Attorney
Commissioner Charles	
Kidwell	

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

There was no public comment on items not listed on the agenda.

3. ADOPTION OF PLANNING COMMISSION MINUTES

May 10, 2010 Draft Planning Commission Minutes

May 10, 2010 Draft Minutes

Motion by Commissioner Carter Stein, second by Commissioner Chris Groener to to approve the May 10, 2010 Regular Meeting Minutes as submitted.

A roll call was taken and the motion passed with Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Chris Groener, Commissioner Charles Kidwell voting aye. [4:0:0]

May 24, 2010 Draft Planning Commission Minutes

May 24, 2010 Draft Minutes

Motion by Commissioner Carter Stein, second by Commissioner Charles Kidwell to to approve the May 24, 2010 Regular Meeting Minutes as submitted.

A roll call was taken and the motion passed with Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Charles Kidwell voting aye and Commissioner Chris Groener abstained. [3:0:1]

4. PLANNING COMMISSION HEARING

CU 10-01 and SP 10-01: Conditional Use and Site Plan and Design Review Application for Atkinson Memorial Church Education Building.

Commission Report

Staff Memo

Additional Findings for Tree Protection OCMC 17.41

Applicant's Letter to Planning Commission

Applicant's Site Plan 6.14.10

Applicant's Presentation

Transformer, Trees and Transparency

Applicant's Use Chart

Appellant's Memo and Exhibits 6.14.10

Carrie Richter, Assistant City Attorney, read the hearing statement describing the hearing format and correct process for participation. She asked if there were any declarations of ex parte contact, conflict of interest, bias, or statements.

Commissioner Groener visited the site. There were no other disclosures.

Pete Walter, Associate Planner, said this application was for the Atkinson Memorial Church education wing addition. The Planning Commission last reviewed it on May 24 and continued the

hearing to June 14. He discussed the outstanding issues of the architectural design, window transparency, parking, tree preservation, and setbacks. The remand of the Historic Review Board application was heard on May 25, 2010 and the HRB voted 4-0 to approve the revised exterior building materials. Staff needed to review the new parking submittal which showed there would be no significant impact caused by the addition of the wing and the uses proposed were the same that had been on the site historically but the space was being used more efficiently. The original staff report did not include findings for compliance with the tree protection code. The applicant would attempt to preserve the eight inch Dogwood Tree at the corner of the site, to remove three trees in the vicinity of the two new parking spaces, and to plant 10-14 new trees on site. Staff recommended having an arborist on site during excavation of the root area of the Dogwood Tree to ensure the protection requirements could be met. The Dogwood would be considered a street tree. The transformer was proposed to be moved to the center of the site away from street frontage. Regarding transparency, the church was considered a non-conforming structure. Once the addition was made, they would move closer to the 60% transparency requirement and in the Code it stated that if the modification could better meet the intent of the site design requirements, the Planning Commission could approve the modification. Mr. Walter then explained Exhibits A-G. Regarding parking, the existing church was not being reviewed for compliance with the parking standards. The new addition impact on parking would be 14 new spaces on the street and 2 new spaces off the street.

Jill Long was the attorney for the applicant, Atkinson Memorial Church. Many members of the church came that night in support of the application. She gave a brief project overview and reasons for the addition. She discussed the use planned for the new building and how it related to traffic impacts and parking. There was no expansion of use as part of this project. The education wing was a replacement for a current facility that better accommodated the uses that currently existed on the site. Two traffic engineers found there would be no traffic impacts associated with the education wing project. Regarding parking, because the church use would stay the same there was no required analysis. The preschool required two parking spots, and there were ample spots of on street parking along the frontage of the education wing. The project would also add two ADA parking spots. There were two modifications necessary for the education wing, setbacks and transparency. The setback modification allowed the addition to blend better into the historic neighborhood and not detract from the historic landmark. The HRB determined the transparency issue fit best with the compatibility of the landmark and

moved to more conformance of the building. The decision of the HRB was appealed and would be heard by the City Commission on July 7. The Code allowed for two tracts to be followed by the applicant simultaneously and both had to be approved in order for the project to move forward. She also discussed the modifications to the site plan in response to neighbor concerns.

Gregg Stults of Oregon City was speaking on behalf of the Preschool. The Preschool body and board supported the application. They wanted to stay in this location long term. There was no intention to expand the use of the Preschool.

Mary Johnson, attorney for the appellant Margaret Foss, said regarding the off street parking, the applicant did not provide the number of seats available in each meeting room and the record was incomplete to calculate the number of spaces required. The church would increase by 4% per year, the leaseable space was increasing by 80%, and there were community meetings seven days a week held in the facility. A lot more parking was needed than what was being proposed. She requested a continuance of the hearing until after the HRB decision was final. The landscaping needed to be traditional and use traditional plants.

Ms. Long explained the Code and analysis for parking. The education wing would be neither an enlarged use or a change of use. It was new accommodations for existing uses and the criteria mentioned by Ms. Johnson was not relevant to the application. Regarding expansion of use, the church found that on a one time basis that it could increase attendance by 3 to 7 people. Both traffic engineers reviewed the numbers and found they were minimal and insignificant to any impact on traffic or parking. There would be an additional 1,900 square feet, but a large amount would be used for the area that connected the existing church to the education wing and provide for ADA access. Finality on the HRB decision was not required for the Planning Commission to move forward. Regarding landscaping, the planter strip on the street side was small and had overhead electrical wires that made it impossible to plant sufficient street trees in the area. They found an alternative location that provided the intent of the street tree standard.

Denyse McGriff representing the McLoughlin Neighborhood Association Steering Committee said upon review of the revised site plan, the Committee found the applicant had adequately resolved the transformer and tree removal issues and voted to recommend the Planning Commission support this application.

Ms. Richter recommended to close the public hearing but leave the record open to allow for written submittals only that responded to the new evidence by 5 p.m. on June 21, 2010. After June 21, 2010, the record was closed to all parties except for the applicant who would submit their written argument on June 24, 2010 by 5 p.m. The Planning Commission would reconvene on June 28, 2010 for deliberation and a decision.

Tony Konkol said the HRB decision appeal would go to the City Commission on July 7 and the 120 day deadline for a decision from the City was July 8. The next hearing would be July 12 in front of the Planning Commission.

Motion by Commissioner Chris Groener, second by Commissioner Dan Lajoie to to continue the public hearing for CU 10-01 and SP 10-01 to June 28, 2010, leaving the record open for written comment only, and to close the public hearing.

A roll call was taken and the motion passed with Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Chris Groener, Commissioner Charles Kidwell voting aye. [4:0:0]

6. ADJOURN

Commissioner LaJoie adjourned the meeting at 7:55 p.m.



Agenda Item No.
Meeting Date: 28 Jun 2010

COMMISSION REPORT: CITY OF OREGON CITY

TO:	Planning Commission
FROM:	Pete Walter, Associate Planner
PRESENTER:	Pete Walter, Associate Planner
SUBJECT:	CU 10-01 and SP 10-01. Conditional Use and Site Plan and Design Review for a Religious Institution with a New Education Building and Pre-school for Atkinson Memorial Church.
Agenda Heading: Public Hearing	
Approved by: Tony Konkol, Community Development Director	

RECOMMENDED ACTION (Motion):

Staff recommends approval with conditions of Planning Files CU 10-01 and SP 10-01.

BACKGROUND:

Please see attached Revised Staff Report.

BUDGET IMPACT:

FY(s):

Funding Source:

ATTACHMENTS:



STAFF REPORT AND RECOMMENDATION (REVISED)

FILE NO.: CU 10-01 – Conditional Use (Type III)
SP 10-01 – Site Plan and Design Review

HEARING DATE / LOCATION: June 28, 2010
Oregon City City Hall – Chambers
625 Center Street
Oregon City, Oregon 97045

APPLICANT: Paul Falsetto
Carlton Hart Architecture
322 NW 8th Avenue, Portland, OR 97209

OWNER: Atkinson Memorial Church
C/O Patricia Lichen
710 6th Street Oregon City, OR 97045

LOCATION: 710 6th Street and 718 6th Street
22E-31AD TL 11200 & 11300

REQUEST: The applicant is seeking approval for Conditional Use and Site Plan and Design Review to relocate its educational activities and the Oregon City Preschool into a new education building connected through a breezeway to the Atkinson Memorial Church.

REVIEWER: Pete Walter, AICP, Associate Planner (503) 496-1568
Carrier Richter, Deputy City Attorney

RECOMMENDATION: Approval with conditions.

PROCESS: *Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include conditional use permits, preliminary planned unit development plans, variances, code interpretations, similar use determinations and those rezonings upon annexation under Section 17.06.050 for which discretion is provided. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission or the historic review board hearing is published and 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.*

I. BACKGROUND:

The Atkinson Memorial Church (AMC) requires ADA accessible, dedicated classrooms for its religious education programs, along with spaces specifically suited for preschool and nursery uses. AMC also desires to make its historic 1925 church accessible by use of a new elevator connecting to the building's main level and basement. A new building additional – called the 'education wing' – is to provide these elements, and will be sited immediately adjacent to the church along 6th Street, extending eastward to Jefferson Street. The new wing will continue to house the Oregon City Preschool during the weekdays.

To accommodate the proposed building, existing property lines are to be consolidated and a conditional use for "religious institution" activities requested. The existing house at 718 6th Street (the current location of Oregon City Preschool) and its garage are to be removed. This house, built in 1925, is a non-contributing building in the Conservation District.

Status of Historic Review Board Review

The applicant applied separately for Historic Review Board approval for the new addition and to demolish the parsonage. The Historic Review Board approved HR 10-01 (the Addition) and HR 10-02 (Demolition) on February 23, 2010. This decision was then appealed to the City Commission. The City Commission heard the appeal AP 10-02 on April 21, 2010 and remanded the application back to the Historic Review Board for further specific review of the exterior building materials, in particular the use of fiber cement board panels. The applicant has subsequently revised the design to include lap-siding instead of panel board, revised parapets, entrances, canopies, cornice caps, trim bands and window trim. The Historic Review Board considered the revised building design at a public hearing on May 25, 2010 and determined that the revised design complies with the historic review criterion OCMC 17.40.060(E)(6) which requires that the application demonstrate "general compatibility of the exterior design, proportion, detail, scale, color, texture and materials proposed to be used in the construction of the new building or structure". The Historic Review went on to require that the breezeway area connecting the education building with the Church be covered in smooth-faced stucco. This second HRB decision has also been appealed to the City Commission.

The application before the Planning Commission includes the most recent revisions to the exterior, including the use of stucco as an exterior material, which will be used to determine compliance with the applicable Site Plan and Design Review approval criteria.

II. BASIC FACTS

Location and Current Use

The site for the proposed building slopes downward from east to west, with approximately four feet of fall along 6th Street, handled by a rolling slope down to sidewalk level. The landscape is mostly mowed lawn with some shrubs. An 8" diameter deciduous tree at the corner will be relocated if possible, or removed. Three birch trees located at the alley with diameters ranging from 14"-18" are to be removed to accommodate two new ADA parking spaces. All tree removal will be mitigated by the planting of new trees. The site is outside the 100 year floodplain and has no wetlands or other natural features of note. Within immediate vicinity of the site (inside a 250-foot radius) are a variety of public facilities and amenities. Across 6th Street is the Carnegie Center (1911), sited in the center of its block and bounded by park. Also nearby are the Pioneer Community Center, the Stevens Crawford Museum (1908), the Ermatinger House Museum (1845), and across Jefferson Street, the Richard Bloom Atkinson Memorial Church Education Building, Tots' Park. Other nearby historic properties include the Judge Ryan House (1892) located southward on Jefferson Street, and the Zumwalt House (1896) and Andresen House (1913), both cross corner to the site. There are no buildings directly across 6th and Jefferson Streets from the site.

Adjacent Zoning and Land Use

The property is zoned “MUC-1” Mixed Use Commercial and the Comprehensive Plan designation is MUC – Mixed Use Commercial. Adjacent zoning and land uses are as follows:

Direction	Zoning	Land Use
North	I Institutional / MUC -1 Mixed Use Corridor	Ermatinger House / Fire Station
Northeast	I Institutional	Carnegie Library Park
East	MUC-1 Mixed Use Corridor	William B. Zumwalt House
Southeast	I Institutional	Richard Bloom Tot’s Park
South	R-3.5 Dwelling / MUC-1 Mixed Use Corridor	Residential
Southwest	MUC – 1 Mixed Use Corridor	City-owned parking Lot
West	I Institutional	Pioneer Center - Building
Northwest	I Institutional	Pioneer Center - Garden

III. PROPOSED PROJECT DESCRIPTION

The proposed education building will have a gross building area of 4,349 square feet, with a 3,656 sf main floor, a 237 sf mezzanine, and a 456 sf basement. The mezzanine and basement will be set at the same level as the church’s main floor and basement, with ADA accessibility provided via a threestop, double door elevator. The main floor level will be set to match the level of the Jefferson Street sidewalk, and an ADA accessible entry provided connecting directly to the public right-of-way.

The other accessible entry is at the south of the building, connecting to two new ADA parking spaces. The third building entrance faces 6th Street, and is reached from a flight of stairs. Apart from the two ADA parking spaces, no on-site parking will be provided in conjunction with the new building, and the project is anticipated to create no additional traffic impact. Utilities to the building will be fed underground from Jefferson Street, in the area between it and the parsonage. An at-grade stormwater garden and underground detention vault near the 6th Street entry will handle the site’s stormwater according to the required standards.

The education building has been laid out in consideration and deference to the historic Atkinson Memorial Church. The main body of the building has been set back along its 6th Street elevation to not stand in front of the church. Since the MUC-1 zone requires a maximum setback of 5-feet at the front yard, a variance for the 8’-6” setback from sidewalk is requested. The education building has been narrowed down at its western end to allow maximum daylight penetration to the church’s large east window. A minimal connection will be made from the new building to the church at both floors by use of a ‘breezeway’, approximately 8-feet in width and designed to disturb as little historic fabric as possible. This connection will be structurally independent from the church, and can be removed with minimal disruption of historic fabric.

The church is a National Register property and a highly recognizable neighborhood landmark, distinguished by its cohesive design and form. Any new addition that confuses this form and aesthetic does a disservice to the integrity of the original design. With this understanding, the footprint, form and materials of the new education building were chosen to compliment the church, but not directly replicate it. A breezeway connection between the two buildings is tucked back from the main facades and provides a 10-foot separation between them, allowing the historic structure to retain its integrity of form. The use of brick and stucco for the lobby and elevator tower breezeway components at the north façade (termed the ‘transition zone’) will provide compatibility with the parge-coated concrete exterior of the church.

The fenestration of the transition zone had been designed to resemble the vertical, punched opening character seen at the church. Although this is the tallest portion of the new building, it is still well below the main massing of the church, allowing the Church to retain its hierarchy on the block.

As the education building extends eastward away from the church, it changes scale to compliment that of the nearby residences and the Carnegie Center across 6th Street. Lap siding (fiber cement) becomes the primary wall material at the classroom wing of the building. The paired windows are of a proportion similar to neighboring residences, and are projected to be of fiberglass.

Turning the corner to Jefferson Street, the building presents an east elevation more in scale with the neighboring residences. Located at this also elevation is the dedicated entry for Oregon City Preschool. Lap siding comprise the south elevation.

The mechanical equipment on the roof of the proposed addition was re-located to the center of the roof based on sightline studies and is proposed to be screened completely from view with a parapet.

The applicant has proposed a landscaping plan which will incorporate on-site water quality features such as a rain garden.

Parsonage Use

A Conditional Use Approval is requested for the 'parsonage', a former residence owned by the Atkinson Memorial Church (AMC) and located at 517 Jefferson Street. This building, used until recently as a residence, was constructed in 1930 and is a non-contributing building in the Conservation District. The parsonage is a one-story building with attached garage, approximately 1,650 sq. ft. in area.

This building, currently vacant and used for storage, will temporarily house Oregon City Preschool during construction of the new education building, and after construction will be used for church administration activities currently occurring within the existing church building. While occupied by Oregon City Preschool and after construction, while housing church administration functions, the applicant has noted that as a result of relocating existing uses, there will be no additional demand on parking load in the neighborhood or the surrounding transportation system.

Education Use

A Conditional Use Approval is requested for the education building that will accommodate the existing pre-school, on weekdays, and religious education classes, occurring on Sundays. These Sunday religious educational activities currently occur in the basement of the Church which is not non-ADA accessible and ill-configured for such uses. The applicant has stated that the proposed space provided within the education wing to serve the educational uses (2,113 sq. ft.), is no greater than is currently available to serve such uses in the existing church basement area (3,885 sq. ft.). Similarly, the pre-school currently accommodates 32 students. The pre-school has no plans to expand and could not expand without subsequent state approval. As such, there will be no additional demand on the parking load in the neighborhood or the surrounding transportation facilities from this new educational area.

Land use approvals sought

The applicant is applying for Site Plan and Design Review for the addition and for a Conditional Use permit for religious institution uses for approval by the Planning Commission.

IV. PUBLIC AND AGENCY COMMENTS

John Lewis, Public Works Maintenance Superintendent for the City of Oregon City submitted comments noting the division's interests including the applicant's obligation to provide new water hookups (taps), inspections, catchbasins, and address ADA concerns. These comments have been addressed in the attached Recommended Conditions of Approval.

Mary W. Johnson, attorney representing Margaret Foss submitted comments in opposition to the proposal (See Exhibits 25 and 34). Ms. Johnson asserted that the off-street parking requirements are not satisfied because they did not include the square footage of the community meeting room, or a seat count for the religious assembly, religious education and community meeting rooms. As explained above, the applicant has shown that there is no expansion or change in the uses proposed for the Church site and such no additional parking is required. This issue is discussed in greater detail below. Ms. Johnson also argues that the proposed addition is not compatible with the surrounding neighborhood. Ms. Johnson suggests that the applicable approval criteria are either OCMC 17.040.060, the criteria governing issuance of a certificate of appropriateness, or the Secretary of Interior Guidelines or local design guidelines that are expressly within the review authority of the Oregon City Historic Review Board.

V. DECISION-MAKING CRITERIA AND FINDINGS:

The following code sections provide the applicable approval criteria and recommended findings for Planning Commission review of the proposed application.

Chapter 17.29 - "MUC"—MIXED-USE CORRIDOR DISTRICT

Chapter 17.41 - TREE PROTECTION STANDARDS

Chapter 17.52 - OFF-STREET PARKING AND LOADING

Chapter 17.62 - SITE PLAN AND DESIGN REVIEW

Chapter 12.08 - PUBLIC AND STREET TREES

Note: Ms. Johnson is incorrect in suggesting (above) that the applicable approval criteria are either OCMC 17.040.060, the criteria governing issuance of a certificate of appropriateness, or the Secretary of Interior Guidelines or local design guidelines that are expressly within the review authority of the Oregon City Historic Review Board. Pursuant to OCMC 17.62.030(3)(a) & (b), the Planning Commission **may** utilize the Historic Review Board's Guidelines for New Construction (2006) to develop findings to show that the proposed building structure is complimentary to the surrounding area, and may be make separate findings in this case, but is not required to do so.

Chapter 17.56 Conditional Uses

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

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

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

Finding: Complies as proposed. Pursuant to 17.29.030(G), religious uses are a conditional use in the MUC-1 Mixed Use Corridor zone.

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

Finding: Complies as proposed. The proposed location of the new education building will be on the same location that has been used by the AMC for a pre-school. The block surrounding the site is already fully developed with a complete street system including sidewalks, planter strips, curb and gutters. The site is essentially flat. The site is adjacent to the existing Atkinson Memorial Church, 7th Street commercial corridor, Carnegie Library Park, the Richard Bloom Tot's Park, Pioneer Community Center, several historic residential buildings, and is a short 4-block walk to the municipal elevator and McLoughlin Promenade. The proposed demolition plan (Sheet D1.1) indicates the removal of several trees on the site that will be removed and mitigated for in order to make space for the proposed ADA parking lot, structure, interior courtyard and new lawn. Based on this review, the characteristics of the site are suitable for the proposed use.

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

Finding: Complies with Condition. The applicant has provided a Traffic Analysis Letter (Exhibit 16) prepared by Charbonneau Engineering LLC., and a schedule for the various activities on the site (Exhibits 8 and 33).

The City's transportation consultant John Replinger, P.E. of Replinger and Associates, reviewed the proposal and commented that the TAL essentially states that the same uses and same number of students will be accommodated in the new building as in the existing one, even though the overall size of the new education wing will have a larger footprint than existing house. In addition, the new education wing will be specifically designed with more efficient classroom areas and a dedicated daycare area for the pre-school.

The applicant provided a monthly schedule for March 2010 indicating that the number of vehicles visiting the church varies from zero during the week to a maximum of 95 on Sundays. The schedule also states that the 95 vehicles may increase to 102 on Sunday mornings with the new building. The applicant has stated that there will be no significant change in the related traffic conditions generated by the facility.

Mr. Replinger's initial concern was that the applicant would be tempted to gradually expand use of the facility, with commensurate transportation impacts. Mr. Replinger concluded that depending on the uses to which the facility is put in the future, the project may be sufficient to trigger a full Transportation Impact Analysis rather than a TAL.

Upon further review of the information provided by the applicant, Mr. Replinger concluded that the TAL provides an adequate basis on which to evaluate the impact of the removal of the existing house with its replacement with a new education facility. The engineer does not recommend any mitigation. The expansion is likely to have minimal impact on the transportation system. As long as the facility operates during weekdays as it does currently (a pre-school with 32 participants), neither mitigation nor additional analysis is needed (Exhibit 19).

The Planning Commission may require that the applicant agree to some sort of limit for the new building, and that if more than 32 participants are anticipated to attend the new building church at any one time in the future then the applicant shall be required to provide the appropriate traffic analysis related the expanded use to determine the impacts and appropriate mitigation for the expansion.

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

Finding: Complies as Proposed. The surrounding area is zoned to allow a variety of mixed residential, institutional and commercial uses. The proposed use of the new education building will be the same that has

been used for many years for the Oregon City Pre-school and the Atkinson Memorial Church. Although the zoning of the property allows the maximum allowable building envelope, the new structure will have setbacks that are similar to adjacent residential properties and the Atkinson Memorial Church, and which permits adjacent properties to continue to enjoy the space and view corridors that are typical of the existing block system and zoning. No changes are proposed to vehicular access and egress to the site, and traffic patterns will not be significantly affected by the proposed use. In summary, the proposed use will not substantially limit, impair or preclude the use of surrounding properties for the primary uses listed in the underlying district.

5. The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use. The applicable Comprehensive Plan policies are as follows:

Section 2 – Land Use

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

Finding: Complies as proposed. The scale of the addition is in keeping with that of the immediate neighborhood, and its length along 6th Street has been broken up through a variety of vertical and horizontal articulations. Although the zoning of the property allows the maximum allowable building envelope, the new structure will have setbacks that are similar to adjacent residential properties and the Atkinson Memorial Church, and which permits adjacent properties to continue to enjoy the space and view corridors that are typical of the existing block system and zoning.

Policy 2.4.2

Strive to establish facilities and land uses in every neighborhood that help give vibrancy, a sense of place, and a feeling of uniqueness; such as activity centers and points of interest.

Finding: Complies as proposed. The AMC currently offers a variety of activities (see schedule in Exhibits 8 and 33) to the community throughout the week and on weekends on the site. The continued use of the site through a new and improved education facility helps to further Policy 2.4.2.

Policy 2.4.5: Ensure a process is developed to prevent barriers in the development of neighborhood schools, senior and childcare facilities, parks, and other uses that serve the needs of the immediate area and the residents of Oregon City.

Finding: Complies as proposed. The Oregon City Preschool will continue to operate at this location, providing a valued amenity to the residents of Oregon City.

Section 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Goal 5.3 Historic Resources. Encourage the preservation and rehabilitation of homes and other buildings of historic or architectural significance in Oregon City.

Finding: Complies as proposed. The Atkinson Memorial Church will receive an addition designed in a manner that maintains the historic building’s architectural significance. The existing house at 718 6th Street and its garage are to be demolished. This house, built in 1925 and under ownership by AMC, is a non-contributing building in the Conservation District. AMC will conduct a series of mitigating actions regarding the building’s removal, the first of which is offering it for relocation.

Policy 5.3.1: Encourage architectural design of new structures in local Historic Districts, and the central Downtown area to be compatible with the historic character of the surrounding area.

Finding: Complies as proposed. The proposed education building has been laid out in consideration and deference to the historic Atkinson Memorial Church. The main body of the building has been set back along its 6th Street elevation to not stand in front of the church, and a historic preservation incentive “variance” was approved by the Historic Review Board for this setback. A minimal connection will be made from the new building to the church at both floors by use of a ‘breezeway’, approximately 8-feet in width and disturbing as little historic fabric as possible. The scale and materials of the classroom wing are influenced by nearby buildings in the McLoughlin Conservation District.

Policy 5.3.7: Encourage property owners to preserve historic structures in a state as close to their original construction as possible while allowing the structure to be used in an economically viable manner.

Finding: Complies as proposed. AMC has been a careful and considerate steward of the Church, and this new addition allows them to better accommodate their activities.

Policy 5.3.8: Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Finding: Complies as proposed. The new education building provides the urban type of infill that the MUC-1 zone requires, but in a manner that is considerate of the scale of the immediate neighborhood.

Section 6 – Quality of Air, Water and Land Resources

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 as proposed. Other than the construction process, no additional noise is anticipated for the project upon completion.

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.

Policy 6.3.1: Minimize light pollution and reduce glare from reaching the sky and trespassing onto adjacent properties.

Finding: Complies as proposed. Light fixtures and lighting levels are appropriate to the building’s use, and have been designed to reduce glare towards the night sky. Compliance with *OCMC 17.62.065 – Outdoor Lighting*, is addressed later in this report.

Policy 6.3.2: Encourage new developments to provide even and energy-efficient lighting that ensures safety and discourages vandalism. Encourage existing developments to retrofit when feasible.

Finding: Complies as proposed. Light fixtures will be new and energy efficient, using mostly compact florescent bulbs.

Policy 6.4.1: Provide for noise abatement features such as sound-walls, soil berms, vegetation and setbacks to buffer neighborhoods from vehicular noise and industrial noise.

Finding: Complies as proposed. The applicant states that no such noise shall be generated on site that would require such abatement features. Mechanical equipment to be installed on the new building roof will be completely screened by a parapet. Applicant's site plan does not propose any other equipment that would appear to generate excessive noise.

Section 7: Natural Hazards

Goal 7.1 Natural Hazards. Protect life and reduce property loss from the destruction associated with natural hazards.

Policy 7.1.9: Locate, design, and construct structures in conformance with current building codes and standards for seismic-resistant design.

Finding: Complies as proposed. This project will be designed to current seismic codes.

Section 11: Public Facilities

Goal 11.4 Stormwater Management. Seek the most efficient and economical means available for constructing, operating, and maintaining the City's stormwater management system while protecting the environment and meeting regional, state, and federal standards for protection and restoration of water resources and fish and wildlife habitat.

Finding: Complies as proposed. A stormwater garden is proposed to provide water quality capacity, and an in-ground retention tank will help meter the stormwater into the city system.

Policy 11.4.3: Ensure parking lot designs that mitigate stormwater impacts. Take measures to reduce waterflow and increase water absorption through the use of bioswales, vegetated landscaped islands with curb cuts to allow water inflow, and tree planting.

Finding: Complies as proposed. The two ADA parking spaces will be drained to the stormwater garden.

Section 12: Transportation

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

Finding: Complies with Condition. See finding regarding Conditional Use criterion (3) on Page 3.

Policy 12.5.1: Identify improvements that are needed to increase the safety of the transportation system for all users.

Finding: Complies as proposed. The sidewalks at 6th Street and Jefferson Street will be repaired where needed, and new ADA ramps added to the corners.

Policy 12.5.2: Identify and implement ways to minimize conflict points between different modes of travel.

Finding: Complies as proposed. The new ADA ramps will allow pedestrians and bicyclists to better cross 6th and Jefferson Streets.

Policy 12.5.3: Improve the safety of vehicular, rail, bicycle, and pedestrian crossings.

Finding: Complies as proposed. The new ADA ramps will allow pedestrians and bicyclists to better cross 6th and Jefferson Streets.

Section 13: Energy Conservation

Goal 13.1 Energy Sources. Conserve energy in all forms through efficient land-use patterns, public transportation, building siting and construction standards, and city programs, facilities, and activities.

Finding: Complies as proposed. The new building will be designed to the current energy codes, will be well insulated, and use windows with low u-values and the ability to provide natural ventilation.

Policy 13.1.2: Encourage siting and construction of new development to take advantage of solar energy, minimize energy usage, and maximize opportunities for public transit.

Finding: Complies as proposed. Applicant has stated that saving energy is a high goal of this project, and the building's envelop and mechanical systems are designed with this in mind. Vestibules at either end of the classroom wing help reduce conditioned air loss at points where a majority of the users will be located.

Policy 13.1.3: Enable development to use alternative energy sources such as solar through appropriate design standards and incentives.

Finding: Complies as proposed. The roof has been laid out to allow for photovoltaic panel installation in the future.

Policy 13.1.4: Wherever possible, design and develop public facilities to take advantage of solar energy, develop co-generation, and conserve energy in operations and public access.

Finding: Complies as proposed. Please see responses, above.

Policy 13.2.6: Support the concept of sustainability over the long term by:

- *encouraging education efforts such as developing and/or distributing educational materials to the public about energy efficiency and sustainability*
- *encouraging designs that achieve a minimum Leadership in Energy and Environmental Design (LEED) certification*
- *implementing sustainable concepts within the Oregon City government facilities that receive a minimum "Platinum" LEED rating*
- *implementing design guidelines that address sustainability for private sector development*
- *taking advantage of up-to-date technology to reduce energy use*
- *developing incentive programs to apply to private sector development, where feasible*

Finding: Complies as proposed. Energy efficiency is a strong consideration for this building. The Energy Trust is being engaged to see how their programs can be incorporated into this project.

B. Permits for conditional uses shall stipulate restrictions or conditions which may include, but are not limited to, a definite time limit to meet such conditions, provisions for a front, side or rear yard greater than the

minimum dimensional standards of the zoning ordinance, suitable landscaping, off-street parking, and any other reasonable restriction, condition or safeguard that would uphold the spirit and intent of the zoning ordinance, and mitigate adverse effect upon the neighborhood properties by reason of the use, extension, construction or alteration allowed as set forth in the findings of the planning commission.

Finding: The applicant has stated that there will be no significant change in the related traffic conditions generated by the facility since the size of the congregation is not changing so as to have no greater adverse impact upon the neighboring properties.

The Planning Commission may require that the applicant agree to some sort of limit for the new building, and that if more than 32 participants are anticipated to attend the new building church at any one time in the future then the applicant shall be required to provide the appropriate traffic analysis related to the expanded use to determine the impacts and appropriate mitigation for the expansion. The Planning Commission may also decide to ensure that no greater intensification of educational activities occurs by conditioning approval to require that use of the Church basement be limited to storage uses only.

The applicant can meet this standard by complying with conditions of approval 1 and 2.

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

Finding: Complies as proposed. The use proposed is in compliance with the MUC-1 zone dimensional standards, with adjustments to the setbacks as approved by the Historic Review Board.

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

Finding: Applicable. The applicant has requested expansion of a structure classified as a conditional use that existed prior to the effective date of the ordinance codified in this title, and subsequently has applied for Conditional Use approval.

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

Finding: Complies with Condition. The applicant has not requested future expansion of the use at this time. All future expansions in excess of this approval shall be heard by the Planning Commission or shall be reviewed by the Community Development Director as directed by the Planning Commission as a Condition of Approval. Annual reports documenting the adequacy of parking availability shall also be required and submitted by the applicant. **If required by the Planning Commission, the applicant can meet this standard by complying with Conditions of Approval 1 and 2.**

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

Finding: Not Applicable. Staff does not anticipate that any building openings proposed by the applicant would cause glare, excessive noise or traffic.

17.56.060 Revocation of conditional use permits.

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

17.56.070 Periodic review of conditional use permits.

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

OCMC 17.62 - Site Plan and Design Review

Responses to chapters 17.52 (Off-Street Parking) and 17.62 (Site Plan and Design Review) of the Oregon City Municipal Code are presented below.

17.52.010 - Number of spaces required.

LAND USE	PARKING REQUIREMENTS			
	MIN	MAX	REQUIRED	PROVIDED
Religious Assembly Building (existing)	0.25 per seat	0.5 per seat		Existing off-site parking lot and 19 on-street parking spaces adequate to accommodate existing uses including education activities.
Preschool Nursery (new)	2	3		2 new-onsite ADA spaces
Total			0	2

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 overlay (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.

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: complies as proposed. The obligation to comply with the off-street parking standards is triggered upon “construction of a new structure or at the time of enlargement or change in use of an existing structure.” The OCMC does not define “enlargement” or “change.” Staff interprets these terms to mean those alterations that impose some adverse impact on the neighborhood. Since the number of seats available to accommodate religious activities as a result of this new construction will remain unchanged, staff finds that there is no additional adverse impact and therefore, no “enlargement” or “change” in the religious educational or secular pre-school activities occurring on the property. Since there is no alteration in the use, no additional parking spaces are required.

The existing church structure is non-conforming in that it was constructed before the City imposed minimum and maximum parking space requirements. At present, the Church has an oral agreement with the City to use the non-conforming city parking lot located on the same block just to the south of site on Sunday (Exhibit 35). This lot contains 37 parking spaces including 2 ADA accessible spaces. In addition, the block frontage abutting the site on 6th Street, John Adams Street and Jefferson Street contains 19 on-street parking spaces pursuant to OCMC 17.52.010(D). The highest parking demand is on Sunday, when a total of 95 vehicles visit the church, including Sunday worship. These vehicles can be accommodated within the existing on-street and off-street parking options.

Considering only the education wing as a new structure, , the building complies with the off-street parking structure requirements. According to the table in this section, a minimum of 2 spaces is required for Preschool Nursery/Kindergarten use, which has a useable interior square footage of 822 square feet, and will be the only use of the building during the weekdays. The weekend religious education classes will occupy both the 822 square feet of preschool area plus and additional 1291 square feet for a total of 2,113 sq. ft. of usable classroom space. Both of these spaces can be accommodated through use of the abutting on-street parking surrounding the church complex.

Using the occupancy load formula set forth in Table 1004.1.1 of the Oregon Structural Specialty Code (Exhibit 36), the 4 classrooms in the educational wing area can accommodate 60 people (15 per classroom), 10 people in the pre-school room, 9 people in the nursery and 38 people in the lobby (Exhibit 37). These occupancies do not materially overlap, i.e. the religious education classes are held during the weekend and the nursery and pre-school is held during the week. The lobby occupancy is not used to calculate parking requirements. The education activities based on per seat calculations of .25 spaces per seat results in a minimum parking requirement of 20 spaces, 19 on the surrounding streets and two ADA accessible places. As parking for the Sunday educational activities occurs in tandem with the Sunday church service activities, the shared parking provisions of the code will allow all of the parking for Sunday religious activities to occur within the neighboring city parking lot and the 19 on-street parking spaces.

In summary, based on the analysis above, the additional parking demand anticipated from the new development will be met through the provision of adequate on-site and off-site parking.

17.52.020 - Administrative provisions.

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

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

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 as proposed. All administrative provisions shall be met.

17.52.030 - Design review.

Parking lots require Site Plan and Design Review.

Finding: Complies as proposed. The 2 ADA parking spaces are located on the alleyway, and will be designed according to City standards for dimensional requirements, surfacing, and drainage.

17.52.060 - Bicycle parking standards.

Pursuant to the standards of this section, secure, well lit bicycle parking shall be located in convenient, clearly marked locations that are appropriate for the proposed use, visible and accessible from the street or on-site building and which do not conflict with vehicle and pedestrian circulation.

Finding: Complies with Conditions: 2 spaces are required for the pre-school use. The applicant has proposed that the spaces be provided through use of a single 'U' rack placed in the 6th Street parking strip near the entry. The parking strip is in the public ROW and may not be used as a bicycle parking space without the permission of the Public Works Dept. The applicant shall obtain a ROW permit for the proposed bicycle parking space or propose an alternative location for the bicycle parking space in accordance with city code. **Applicant can assure this standard is met through Condition of Approval 3.**

Chapter 17.62 - Site Plan and Design Review

17.62.020 - Preapplication review.

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 as proposed. The pre-application meeting was held on November 3, 2009.

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 onsite 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 parking lot landscaping shall not be counted toward the fifteen percent minimum.

Finding: Complies as proposed. Applicant has provided a landscaping plan stamped by a registered landscape architect (Exhibit 13). Growing plant material placed between the building and the public right of way (sidewalk) constitutes 17% of the lot area, and includes trees, shrubs, lawn and other elements as required. This calculation excludes the landscaping interior to the lot, which would increase this percentage substantially. The site is not within the Natural Resource Overlay District or the downtown design district.

Notes: Ms. Johnson (Exhibit 34) commented that the landscaping is not “historic” pursuant to the City’s adopted “Design Guidelines for New Construction in Historic Districts”. Although the guidelines offer basic principles for generalized landscaping in keeping with the historic context of a site, there is neither a standard nor a requirement for such landscaping, nor a list of preferred plant species for historic sites that applicant are required to follow. Landscaping plants may be chosen from the City’s Native Plant List, or as the applicant’s registered landscape architect has proposed for the site pursuant to this code section.

2. Vehicular Access and Connectivity.

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

b. Ingress and egress locations on public thoroughfares shall be located in the interest of public safety. Access for emergency services (fire and police) shall be provided.

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

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.

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

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.

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 a vehicular and pedestrian access easements where applicable.

h. Parking garage entries (both individual, private and shared parking garages) shall not dominate the streetscape. They shall be designed and situated to be ancillary to the use and architecture of the ground floor. This standard applies to both public garages and any individual private garages, whether they front on a street or private interior access road.

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: Complies as proposed. The new ADA parking spaces are located at the alley, with easy and safe access both from the right-of-way and into the site.

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.

a. Alterations, additions and new construction located within the McLoughlin Conservation District, Canemah National Register District, and the Downtown Design District and when abutting a designated Historic Landmark shall utilize materials and a design that incorporates the architecture of the subject building as well as the surrounding district or abutting historic landmark. Historic materials such as doors, windows and siding shall be retained or replaced with in kind materials unless the community development director determines that the materials cannot be retained and the new design and materials are compatible with the subject building, and District or Landmark. The community development director may utilize the Historic Review Board's Guidelines for New Construction (2006) to develop findings to show compliance with this section.

b. In historic areas and where development could have a significant visual impact, the review authority may request the advisory opinions of appropriate experts designated by the community development director from the design fields of architecture, landscaping and urban planning. The applicant shall pay the costs associated with obtaining such independent professional advice; provided, however, that the review authority shall seek to minimize those costs to the extent practicable.

Finding: Complies as proposed. The education building has been designed to allow the historic Atkinson Memorial Church to remain visually dominant on the block. The main body of the education building has been set back along its 6th Street elevation so as to not stand in front of the church. A minimal-sized connection will be made between the two buildings via a 'breezeway', made as visually unobtrusive and transparent as possible. The use of the breezeway to connect with the church will minimize the disruption of historic fabric. New 4-foot by 7-foot openings on both of the church's levels will be cut through the concrete walls, keeping all existing fenestration (and Povey Brothers windows) intact. The openings will be made in the interior at the location of two non-historic fireplaces.

The materials selected for the new building – brick, stucco, and lap siding, have been selected for their contextual applicability and durability. The brick proposed on the main entry and 'transition zone' of the building reflects the material used at the Carnegie Center across the street, the stucco proposed on the breezeway reflects the parge-coated exterior of the church structure, and the lap siding is similar to the siding of nearby historic residences, principally the Andresen House and the Ermatinger House. All three of these materials (brick, horizontal lap siding, and stucco) are listed as "preferred building materials" pursuant to the Site Plan and Design Review standards of *OCMC 17.62.050(A)(21) – Building Materials*. The combination of material uses, and their placement and location on the proposed education wind, have been chosen to be complimentary to the surrounding area.

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

Finding: Complies as proposed. The grading for all site work will be in accordance to Oregon City standards.

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

Finding: Not Applicable. The project is not located 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 as proposed. This project drainage and stormwater system will address City standards, specifically through the use of an in-grade stormwater garden and underground retention vault. Grading design standards will also be addressed as required. Please see the Civil drawings for more specifics.

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

Finding: compliance with 17.52 was demonstrated earlier in this report.

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 17.62.050A.7. of the Oregon City Municipal Code.

Finding: Complies as proposed. The 2 ADA spaces are connected to the building accesses in compliance with this section. The sidewalks at 6th Street and Jefferson Street will be repaired where needed, and new ADA ramps added to the corners.

17.52.090 - Parking lot landscaping.

Finding: Complies as proposed. The 2 ADA spaces about the inner courtyard and path that is landscaped on both sides.

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 as proposed. The applicant will be upgrading the ADA curb cuts at the east and west intersection on the block. The existing curb cut at 6th Street will be eliminated. Damaged areas of sidewalk along 6th and Jefferson are to be replaced, and these have been noted on the Civil drawings. All work will be done according to city standards.

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 textural material or height to alert the driver of the pedestrian crossing area.

Finding: Complies as proposed. There are direct pathways to the principal entries at the north and east directly from the adjoining sidewalks. The north path width is 8-feet, and the east width just over 10-feet. The south entry is connected to the ADA parking at the alleyway with a 4-foot wide pathway, compliant with ADA standards. All surfaces will be of concrete, and to city standards.

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 as proposed. The owner will be maintaining their site to the appropriate city standard.

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

Finding: Compliance with 17.41 is demonstrated later 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: Not Applicable. This site does not fall within the Natural Resources Overlay District.

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 as proposed. The site development process will comply with these requirements.

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 with Conditions. The applicant shall comply with the Engineering Policy 00-01 – Guidelines for Development, as needed for the duration of the project.

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.

When approving land use actions, Oregon City requires all relevant intersections to be maintained at the minimum acceptable level of service (LOS) upon full build-out of the proposed land use action. 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 as proposed. A submitted Traffic Analysis Letter has concluded that there will be no impact to the neighborhood by this development. The City's Transportation Consultant Replinger and Associates has reviewed the Application and the Traffic Analysis Letter and concurs.

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 as proposed. There is no bus service at the streets adjoining the site.

17. All utility lines shall be placed underground.

Finding: Complies as proposed. Utility lines will be placed underground.

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 as proposed. Continuous and direct access from the public sidewalk into the building is provided at the Jefferson Street entrance. Two ADA parking spaces will be provided at the alleyway, with a compliant pathway to the south entry into the building.

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. This is not a residential development.

20. Screening of Mechanical Equipment:

a. Rooftop mechanical equipment, including HVAC equipment and utility equipment that serves the structure, shall be screened. Screening shall be accomplished through the use of parapet walls or a sight-obscuring enclosure around the equipment constructed of one of the primary materials used on the primary façades of the structure, and that is an integral part of the building's architectural design. The parapet or screen shall

completely surround the rooftop mechanical equipment to an elevation equal to or greater than the highest portion of the rooftop mechanical equipment being screened. In the event such parapet wall does not fully screen all rooftop equipment, then the rooftop equipment shall be enclosed by a screen constructed of one of the primary materials used on the primary façade of the building so as to achieve complete screening.

b. Wall-mounted mechanical equipment shall not be placed on the front façade of a building or on a façade that faces a right-of-way. Wall-mounted mechanical equipment, including air conditioning or HVAC equipment and groups of multiple utility meters, that extends six inches or more from the outer building wall shall be screened from view from streets; from residential, public, and institutional properties; and from public areas of the site or adjacent sites through the use of (a) sight-obscuring enclosures constructed of one of the primary materials used on the primary façade of the structure, (b) sight-obscuring fences, or (c) trees or shrubs that block at least eighty percent of the equipment from view. Wall-mounted mechanical equipment that extends six inches or less from the outer building wall shall be designed to blend in with the color and architectural design of the subject building.

c. Ground-mounted above-grade mechanical equipment shall be screened by ornamental fences screening enclosures, trees, or shrubs that block at least eighty percent of the view. Such equipment and fixtures shall not be installed within one hundred feet of the intersection of two public streets to the maximum extent practicable as determined by the community development director. When this standard is deemed impracticable and placement is permitted within one hundred feet of an intersection by the community development director, such equipment and fixtures shall be fully screened with landscaping, fence or wall. Placement and type of screening shall be determined by the community development director. All mechanical equipment shall comply with the standards in this section. If mechanical equipment is installed outside of the site plan and design review process, planning staff shall review the plans to determine if additional screening is required. If the proposed screening meets this section, no additional planning review is required.

Finding: Complies with condition. The rooftop mechanical units will be shielded on three sides by a parapet wall equal to the highest portion of the units. Applicant has proposed a transformer pad located within the center of the property. Applicant shall fully screen the transformer pursuant to this section to the extent practicable. **Applicant can meet this standard through Condition of Approval 5.**

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.

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.

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.*

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).*

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.*

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 as proposed. The proposed exterior building materials include brick, real stucco on the breezeway, and cement fiber lap siding, all in the preferred building materials category.

17.62.055 – Institutional and commercial building standards.

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: Complies as proposed. The proposed education building will contribute to the district by providing religious education spaces for the Atkinson Memorial Church, as well as being the continued home to Oregon City Preschool. The footprint, form and materials of the building were chosen to compliment the historic church, but not directly replicate it. The use of brick and stucco for the lobby and elevator tower at the north façade (termed the ‘transition zone’) is compatible with the parge-coated concrete exterior of the church. The fenestration of the transition zone had been designed to resemble the vertical, punched opening character seen at the church. As the education building extends eastward away from the church, it changes scale to compliment that of the nearby residences and the Carnegie Center across 6th Street. Lap siding becomes the primary wall material at the classroom wing of the building, providing a level of articulation to the facades. The paired windows are of a proportion similar to neighboring residences, and are projected to be of fiberglass. Turning the corner to Jefferson Street, the building presents an east elevation more in scale with the neighboring residences. The color of the transition zone’s brick and siding were selected to provide a complimentary hue to the church, while also provides a transition to the brown and tan scheme of the education wing.

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

Finding: Complies as proposed. This project’s design has been specifically tailored to its program and context.

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 is a single building development.

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: Complies as proposed. This project has been submitted as HR 10-01 and HR 10-02 for Historic Design Review, addressing the standards therein, including setback adjustments and other building design considerations pursuant to OCMC 17.40.

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: Complies as proposed. The building has 106-feet of frontage along 6th Street. Out of deference to the landmark structure on the site to which it attaches, the building has been set back so as to not stand in front of the Atkinson Memorial Church. The nearest building elements to the northern property line have been set back 8'-6". At the Jefferson Street elevation, the setback is 7'-7", to be more in keeping with the residential scale of adjacent houses. A variance is requested for these greater setback dimensions.

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: Complies as proposed. The proposed building has been set back greater than five feet on both its street frontages out of deference to historic buildings within the immediate context. Such a modification of the standard is appropriate given that OCMC 17.62.015 allows modification of site-related development standard when the modification results in a project that better meets the design guidelines and on balance is more consistent with the purpose of the standard being modified. By setting the building back greater than five feet allows the Church building to remain visually dominant. On the Jefferson Street side, the setback is increased to be more consistent with the residential scale and setbacks of the adjacent residences. Both setback modifications allow the proposal to better meet the intent of the OCMC requirement. The Historic Review Board specifically granted a historic preservation incentive for the increased setback pursuant to OCMC 17.40.065(C) as part of their approval. Landscaping suitable to the neighborhood will fill the intervening space.

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: Complies as proposed. Canopies are provided over the two main entries facing the public sidewalks.

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 :a. Canopies or porticos; b. Overhangs; c. Recesses/projections; d. Arcades; e. Raised corniced parapets over the door; f. Peaked roof forms; g Arches; h Outdoor patios; i. Display*

windows; j Architectural details such as tile work and moldings which are integrated into the building structure and design; k Integral planters or wing walls that incorporate landscaped areas and/or places for sitting. l. Planter boxes and street furniture placed in the right-of-way shall be approved for use according to materials, scale and type.

Finding: Complies as proposed. Although this standard applies to commercial and retail buildings, there are entrances at both 6th Street and Jefferson Street, with a variance for a setback larger than five feet requested. The building elevations help define these entries, with recesses, canopies, windows, and brick soldier coursing.

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: Not Applicable.

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: Complies as proposed. Neither of the canopies project into the public rights-of-ways.

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: Complies as proposed. The east street entry is within twenty-five feet of the corner of the building. The north entrance has been placed near the church to which it attaches, to allow for quick and easy transport via stairs/elevator into the church's two levels. The east entrance has been placed at the center of its façade in a manner similar to that seen in nearby historic buildings, such as the Carnegie Center. Since the building has been set back from the corner for contextual reasons, treatments would not be suitable.

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: Complies as proposed. This building is not intended for retail use. A projecting horizontal trim band has been placed at the ceiling level of the education wing, in part to respond to a similar treatment at the Carnegie Center.

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 as proposed. The building's massing has been articulated with a variety of projections and insets.

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 proposed. The building's massing has been articulated with a variety of projections and insets, along with height changes.

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 as proposed. There is an underlying rationale for all changes in mass, specifically using higher masses to highlight entrances and a more horizontal massing for the classrooms.

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 as proposed. The street facades have been articulated with changes of planes, materials, heights, and windows.

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 as proposed. The 6th Street façade measures 106'-9", and is broken up by the deep inset nature of the 'breezeway', and the inset of the 'transition zone' containing the building lobby. These recesses are greater than the 3% of the building's length (minimum 3.18') and constitute 38% of the total frontage length.

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: Not Applicable. The facades facing the public streets have been designed to be contextual to the historic church and adjacent historic buildings. Facades of 60% or more of glazed area, entries, etc. are not seen to be in keeping with the historic neighborhood context. With the exception of certain building materials to be reviewed by the Historic Review Board, the ground floor facades have been approved by the Historic Review Board.

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.*

Finding: Complies as proposed. Material (brick, lap siding), color, and texture have been repeated in a cohesive manner across the building facades.

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.*

Finding: Complies as proposed. A number of insets occur along the building's facades, and at a minimum of 24" in depth.

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 as proposed. Repeated elements are within the thirty foot limitation along the street facades. A projecting horizontal trim band at the classroom wing is used to break up this massing vertically.

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.*

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: Complies with condition. The applicant states that the window-to-wall ratio has been designed to be compatible to both the historic church and the neighboring historic buildings. The applicant proposes a façade transparency along the pedestrian level of 35% along the 6th Street frontage and 33% along the Jefferson Street frontage. This modification of the transparency requirement is done so that the education wing shall be compatible with the existing historic Church, which has a window transparency of 23% at the pedestrian level. The transparency being proposed moves the structure closer to compliance with the standard. Further, pursuant to the modification authorization contained in OCMC 17.62.015, the transparency standard can and should be modified if the modified proposal will ensure greater compatibility with the surroundings. The overall percentage of transparency and the punched single openings inset from the building face offer more compatibility given the historic district.

Transparent doors and sidelights/transoms have been placed at all entries, and will be within the required visual light reflectivity value. The main front elevation of the building is the Atkinson Memorial Church itself. The side elevation and new entrance to the education building are not considered “main front elevations” subject to this standard out of deference to the landmark. The applicant did not provide information regarding the reflectiveness of the proposed windows. Applicant shall provide information indicating compliance with this standard prior to issuance of a building permit. **Applicant can meet this standard through Condition of Approval 6.**

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 as proposed. Each façade has a recognizable top through soldier coursing for the brick walls, and a wide cornice cap for the lap siding.

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: Complies as proposed. The applicant has proposed a flat-roofed building with a 14' building wall and roof-band with 2' foot modulations. Behind the main building roof-line a parapet is proposed to screen the rooftop mechanical units, providing further modulation.

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: Not Applicable.

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.

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 with conditions. The exterior lighting plan can be found on drawing E1.1 (Site Plan) and cut sheets of all fixtures have been provided. Based on the photometric charts provided with the proposed fixtures, it appears the lighting standards can be met, however the applicant has not provided a photometric plan indicate site lighting levels.

- Exterior lighting at the three entries (Type 'SN') are specified to be Westwood 715 sconces.
- Lighting at the stairs and pathway from the ADA parking spaces (Type 'SB') are Lithonia KBC8 H.I.D. bollards.
- Wall fixtures leading to the trash enclosure (Type 'SA') will be Gullwing 13 H.I.D. fixtures.
- Stair lights at the main stairway (Type 'SC') are Gardco 942 fixtures.

Prior to release of a building permit, the applicant shall provide a photometric plan for the site indicating that all applicable lighting levels required pursuant to this section can be met. **Applicant can meet this standard through Condition of Approval 7.**

17.62.085 – Refuse and recycling standards for commercial, industrial, and multifamily 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 as proposed. A dedicated refuge and recycling area has been located in the 6'-3" gap between the education building and the parsonage building. The ground surface will be concrete and there will be room for nine roll carts, supplying plenty of capacity into the foreseeable future. This area will be fenced and gated, providing the required enclosure and screening. It has direct access to the Jefferson Street sidewalk, where pickup occurs.

Chapter 12.08 - PUBLIC AND STREET TREES

12.08.015 - Street tree planting and maintenance requirements.

All new construction or major redevelopment shall provide street trees adjacent to all street frontages. Species of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List or be approved by a certified arborist. If a setback sidewalk has already been constructed or the Development Services Division 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.

Finding: Complies with Conditions. The re-development site frontage measures approximately 240' on both frontages. $240 / 35 = 6.8$ or 7 street trees are required. Applicant has proposed to plant four street trees along the Jefferson Street parking strip. At the 6th Street parking strip the applicant has proposed to not plant street trees due to the narrow width of that strip and the heavy power lines overhead. Instead, the asphalt in the strip will be removed up to where the sidewalk is the full width of the right-of-way, and lawn planted, which is in keeping with the residential nature of the neighborhood. four trees are to be planted along the northern edge of the site near the 6th Street sidewalk to provide a buffer between the right-of-way and the building. The existing 8" dogwood tree at the corner tree will be retained, and serve as a fifth street tree at the corner. The four trees along Jefferson plus the five trees along 6th will meet the planting requirements provided the applicant records a restrictive covenant for the five trees along 6th that identifies them as public street trees and requires permanent protection and replacement. Applicant shall cause to be recorded the size, species and location of the trees to be planted behind the sidewalk. All street trees shall be a minimum two-inch caliper at the time of planting and selected from the Oregon City Street Tree List or as recommended by a certified arborist as appropriate for the planting area. All street trees shall be counted in addition to and separately from any on-site landscaping tree requirements. **Applicant can assure this standard is met through Condition of Approval 4.**

17.41.010 - Protection of trees—Intent.

The intent of this chapter is to ensure that new development is designed in a manner that preserves trees to the maximum extent practicable. As a requirement of any Type II land use application, the siting of structures, roadways and utility easements, shall provide for the protection of tree resources to the maximum extent practicable. This applies to all subdivision, partition and site plan and design review applications. Applicants for development shall ensure that all trees shall, whenever practicable, be preserved outside the construction area.

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: This application is for Site Plan and Design Review and is subject to these requirements.

17.41.050 - Same—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;

Finding: The applicant has selected to retain and remove trees pursuant to Option 1.

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

Regulated trees that are removed outside of the construction area, if removed shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Regulated trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2.

Table 17.41.060-1

Tree Replacement Requirements

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:
 $(2 \times 8) + (1 \times 10) = 36$ replacement trees required
- Within Building Area: Three (3) × 10" trees:
 $3 \times 1 = 3$ 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: Conditionally Complies. The applicant proposes to remove a total of three trees due to their locations within the construction area.

The applicant proposes to try and preserve an 8-inch diameter dogwood tree near the corner of the site that may be partially affected by construction of the new building. The applicant proposes to plant four (4) on-site trees in the event the dogwood does not survive. Additionally, three birch trees located at the alley with diameters ranging from 14"–18" are to be removed to accommodate the two new ADA parking spaces, which will be replaced by six new trees planted within the south yard. In total, the applicant has proposed a total of ten new on-site trees, which meets the requirements of Table 17.41.060-1.

Prior to issuance of a building permit, the applicant shall assure the city planning division that the procedures for protection of the dogwood tree as outlined in 17.41.130(B)1-10 & (C) can be met. All tree protection measures shall remain in place until issuance of a certificate of final occupancy for the building. Per OCMC 17.41.130(B)(9) the applicant shall assure that a qualified arborist is present during any construction or grading activities that may affect the dripline of the dogwood tree to assure that disturbance to the tree and its root system is minimized. **Applicant can assure this standard is met through Condition of Approval 11.**

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:

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

Finding: Complies. The applicant has proposed replanting of all mitigation trees on the development site.

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.

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 dripline, whichever is greater. An alternative dripline fencing material secured by metal posts staked at no more than four feet on center around the dripline 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 dripline 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 dripline 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.

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: Conditionally Complies. Prior to release of any permit for site grading or construction activity the applicant shall provide a tree protection plan that indicates tree protection measures for any trees that are intended for retention in accordance with this section. **Applicant can meet this standard through Condition of Approval 11.**

VI. RECOMMENDATION

Staff recommends that the Planning Commission approve the application as submitted by the applicant with the recommended conditions of approval for Conditional Use and Site Plan and Design Review for a Religious Institution with a New Education Building and Pre-school for Atkinson Memorial Church.

VII. EXHIBITS

The following exhibits are attached to this revised staff report by reference. "On-File" means the Exhibits are available in the complete record and are also available on line at www.orcity.org.

Exhibits submitted with the Land Use Application (On File).

1. Original Staff Report, dated May 24, 2010.
2. Vicinity map;
3. Public Notice and Affidavit of Publishing
4. Application
5. Narrative
6. Responses to Code Criteria
7. Conditional Use (for use of Parsonage as Pre-School)
8. Conditional Use (for Religious Institutions use) and Traffic Loading Schedule
9. Site Plan and Design Review
10. Site Plans, Civil Plans and Color 3-D Renderings
11. Revised Exterior Elevations (Color) showing lap-siding instead of panel board, revised parapets, entrances, canopies, cornice caps, trim bands and window trim.
12. Architectural Elevations
13. Stamped Landscaping Plans
14. Materials Descriptions
15. Lighting Fixtures
16. Traffic Analysis Letter, Charbonneau Engineering, December 3, 2009.
17. Stormwater Report, MGH Associates, December 4, 2009.
18. Comments submitted by John Lewis, Public Works Operations Manager for the City of Oregon City.
19. Comments regarding Traffic Analysis Letter by John Replinger, City Transportation Consultant.
20. Public Comments received prior to Staff Report (none).

Exhibits submitted at the May 24, 2010 Planning Commission Public Hearing (On File)

21. (Exhibit 1) Staff Powerpoint Presentation
22. (Exhibit 2) Comments of Denyse McGriff, McLoughlin Neighborhood Association.
23. (Exhibit 3) Applicant's Handout and Presentation
24. (Exhibit 4) Comments of Cindy Towle, Resident, Oregon City.
25. (Exhibit 5) Documentation submitted by Mary Johnson, Attorney for Margaret Foss.

Exhibits submitted at the June 14, 2010 Planning Commission Public Hearing (On File)

26. Commission Report
27. Staff Memo dated June 7, 2010
28. (Exhibit 1) Findings for Compliance with OCMC 17.41 – Tree Protection
29. (Exhibit 2) Documentation submitted by Mary Johnson, Attorney for Margaret Foss.
30. (Exhibit 3) Applicant's Site Plan indicating revised transformer location, proposed parking and trees.
31. (Exhibit 4) Applicant's Presentation.
32. (Exhibit 5) Applicant's Memo regarding transformer, trees and transparency compliance.
33. (Exhibit 6) Applicant's Use Chart indicating square footage of existing and proposed uses.
34. (Exhibit 7) Documentation submitted by Mary Johnson, Attorney for Margaret Foss.

Exhibits attached to this Revised Staff Report

35. Staff Email dated 6/7/2010 regarding Sunday Church use of City Parking Lot.
36. Table 1004.1.1 from the Uniform Structural Specialty Code (Commercial), 2006.
37. Occupancy Load for new education wing based on Uniform Structural Specialty Code.

**Recommended Conditions of Approval
Planning File: CU 10-01 and SP 10-01**

Planning Commission Hearing: June 28, 2010

1. (Optional at Planning Commission's Discretion) The Planning Commission may require that no more than 32 participants in the pre-school attend the new education building at any one time.
2. (Optional at Planning Commission's Discretion) The Planning Commission may require that the applicant agree to limit the use of the Church basement to non-education activities such as storage uses.
3. Bicycle Parking - ROW permit or relocate. The parking strip is in the public ROW and may not be used as a bicycle parking space without the permission of the Public Works Dept. The applicant shall obtain a ROW permit for the proposed bicycle parking space or propose an alternative location for the bicycle parking space in accordance with city code.
4. Revised Tree Planting Plan. Prior to final occupancy, the applicant shall prepare a revised tree-planting plan for all trees to be planted on site in accordance with OCMC Chapter 17.41 and OCMC Chapter 12.08, including public street trees planted behind the sidewalk along 6th street. Required landscaping trees and mitigation trees shall be counted separately and in addition to any street trees that are proposed for planting on-site.
5. Screen Transformer Pad. Prior to final occupancy, the applicant shall screen the transformer on the Jefferson Street frontage pursuant to OCMC 17.62.050(A)(20)(c) to the extent practicable.
6. Details on Window Reflectivity. The applicant did not provide information regarding the reflectiveness of the proposed windows. Prior to issuance of a building permit, the applicant shall provide information indicating compliance with OCMC 17.62.055(I)(1).
7. Photometric Plan for property lines, bike parking, building entrances and pedestrian walkways. Prior to release of a building permit, the applicant shall provide a photometric plan for the site indicating that all applicable lighting levels required pursuant to OCMC 17.62.065 - Outdoor Lighting can be met.
8. Street Trees and Restrictive Covenant. The four trees along Jefferson plus the three trees along 6th will meet the planting requirements provided the applicant records a restrictive covenant for the 3 trees along 6th that identifies them as public street trees and requires permanent protection or replacement. Applicant shall cause to be recorded the size, species and location of the trees to be planted behind the sidewalk. All street trees shall be a minimum two-inch caliper at the time of planting and selected from the Oregon City Street Tree List or as recommended by a certified arborist as appropriate for the planting area. The three street trees shall be counted in addition to and separately from any on-site landscaping tree requirements.
9. The applicant shall comply with the Engineering Policy 00-01 - Guidelines for Development, as needed for the duration of the project.
10. During civil construction plan review, the applicant shall coordinate with the Public Works Division to determine whether existing catch basins can be still used with new ADA ramps at both corners.

11. Prior to release of any permit for site grading or construction activity the applicant shall provide a tree protection plan that indicates tree protection measures for any trees that are intended for retention in accordance with this section. The applicant shall assure the city planning division that the procedures for protection of the dogwood tree as outlined in 17.41.130(B)1-10 & (C) can be met. All tree protection measures shall remain in place until issuance of a certificate of final occupancy for the building. Per OCMC 17.41.130(B)(9) the applicant shall assure that a qualified arborist is present during any construction or grading activities that may affect the dripline of the dogwood tree to assure that disturbance to the tree and it's root system is minimized.

Pete Walter

From: Denise Kai
Sent: Monday, June 07, 2010 2:07 PM
To: Pete Walter
Cc: Kathy Wiseman; Scott Archer
Subject: RE: Pioneer Center Parking Lot Next to Church

It is just a handshake deal, as Kathy stated below.



Denise Kai
Assistant Parks and Recreation Director
dkai@ci.oregon-city.or.us
City of Oregon City
PO Box 3040
625 Center St.
Oregon City, Oregon 97045
503-496-1565 Direct phone
503-657-0891 City phone
503-657-7026 Fax

Website: www.oregon-city.org

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Pete Walter
Sent: Monday, June 07, 2010 1:49 PM
To: Denise Kai
Subject: FW: Pioneer Center Parking Lot Next to Church

Hi Denise,

Please can you help me. I am looking for any kind of formal agreement for the Atkinson Memorial Church to use the city's parking lot behind the church on Sunday.

Thanks,

Pete

From: Nancy Ide
Sent: Monday, June 07, 2010 1:32 PM
To: Pete Walter
Subject: RE: Pioneer Center Parking Lot Next to Church

I am not. I searched our agreements log and did not find anything. Maybe Denise Kai knows something??



Nancy Ide, CMC
City Recorder
nide@orcidity.org
City of Oregon City
PO Box 3040
625 Center Street
Oregon City, Oregon 97045
503-496-1505 Direct phone
503-657-0891 City phone
503-657-7026 fax

Website: www.orcity.org | [Recorder Page](#)
PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Pete Walter
Sent: Monday, June 07, 2010 1:28 PM
To: Nancy Ide
Subject: FW: Pioneer Center Parking Lot Next to Church

Nancy,

Are you aware of anything other than a verbal agreement for Atkinson to use the parking lot behind the church?

Thanks,

Pete

From: Kathy Wiseman
Sent: Monday, June 07, 2010 12:40 PM
To: Pete Walter
Subject: RE: Pioneer Center Parking Lot Next to Church

We currently have a verbal agreement with them that they can use the parking lot on Sundays during their church service. If in the future we rent this building on Sunday during that time, we could enforce the parking for our building only.

Hope that helps ~ ☺

From: Pete Walter
Sent: Monday, June 07, 2010 12:26 PM
To: Kathy Wiseman
Subject: Pioneer Center Parking Lot Next to Church
Importance: High

Hi Kathy,

Do you of any formal agreement for the Atkinson Memorial Church to allow use of the city parking lot behind the church? This has come up as a concern during their land use review.

Thanks,

Pete



Pete Walter, AICP, Associate Planner
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

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MEANS OF EGRESS

TABLE 1004.1.1
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

FUNCTION OF SPACE	FLOOR AREA IN SQ. FT. PER OCCUPANT
Accessory storage areas, mechanical equipment room	300 gross
Agricultural building	300 gross
Aircraft hangars	500 gross
Airport terminal	
Baggage claim	20 gross
Baggage handling	300 gross
Concourse	100 gross
Waiting areas	15 gross
Assembly	
Gaming floors (keno, slots, etc.)	11 gross
Assembly with fixed seats	See Section 1004.7
Assembly without fixed seats	
Concentrated (chairs only—not fixed)	7 net
Standing space	5 net
Unconcentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	100 gross
Courtrooms—other than fixed seating areas	40 net
Day care	35 net
Dormitories	50 gross
Educational	
Classroom area	20 net
Shops and other vocational room areas	50 net
Exercise rooms	50 gross
H-5 Fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional areas	
Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Sleeping areas	120 gross
Kitchens, commercial	200 gross
Library	
Reading rooms	50 net
Stack area	100 gross
Locker rooms	50 gross
Mercantile	
Areas on other floors	60 gross
Basement and grade floor areas	30 gross
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Warehouses	500 gross

For SI: 1 square foot = 0.0929 m².

1004.6 Mezzanine levels. The occupant load of a mezzanine level with egress onto a room or area below shall be added to that room or area's occupant load, and the capacity of the exits shall be designed for the total occupant load thus established.

1004.7 Fixed seating. For areas having fixed seats and aisles, the occupant load shall be determined by the number of fixed seats installed therein. The occupant load for areas in which fixed seating is not installed, such as waiting spaces and wheelchair spaces, shall be determined in accordance with Section 1004.1.1 and added to the number of fixed seats.

For areas having fixed seating without dividing arms, the occupant load shall not be less than the number of seats based on one person for each 18 inches (457 mm) of seating length.

The occupant load of seating booths shall be based on one person for each 24 inches (610 mm) of booth seat length measured at the backrest of the seating booth.

1004.8 Outdoor areas. Yards, patios, courts and similar outdoor areas accessible to and usable by the building occupants shall be provided with means of egress as required by this chapter. The occupant load of such outdoor areas shall be assigned by the building official in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, means of egress requirements for the building shall be based on the sum of the occupant loads of the building plus the outdoor areas.

Exceptions:

1. Outdoor areas used exclusively for service of the building need only have one means of egress.
2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2.

1004.9 Multiple occupancies. Where a building contains two or more occupancies, the means of egress requirements shall apply to each portion of the building based on the occupancy of that space. Where two or more occupancies utilize portions of the same means of egress system, those egress components shall meet the more stringent requirements of all occupancies that are served.

**SECTION 1005
EGRESS WIDTH**

1005.1 Minimum required egress width. The means of egress width shall not be less than required by this section. The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by the factors in Table 1005.1 and not less than specified elsewhere in this code. Multiple means of egress shall be sized such that the loss of any one means of egress shall not reduce the available capacity to less than 50 percent of the required capacity. The maximum capacity required from any story of a building shall be maintained to the termination of the means of egress.

Exception: Means of egress complying with Section 1025.

Construction Type (Sec. 602): V-B
 Height
 Allowable Height (Sec. & Table 503): 1 story & 40 ft
 Sprinkler Increase (Sec. 504.2): 1 story (20 ft)
Proposed Building Height: 2 stories & 25 ft
 Area
 Allowable Area (Sec. & Table 503): 9,500 sf
Proposed Building Area: 4,277 gsf (basement: 393sf, main floor: 3,656sf, upper floor: 228sf)

▪ **Chapter 6 – Types of Construction**

Construction Type (Sec. 602): V-B
 Fire Resistive Rating Requirements for Building Elements (Table 601): no rating required for building elements of V-B
 Fire Resistive Rating Requirements for Exterior Walls (Table 6021): at a fire separation distance between 10'-30', no rating required for E Occupancy

▪ **Chapter 7 – Fire-Resistive-Rated Construction**

Allowable Area of Openings (Sec. 704.8): exception 'i' states that building whose exterior wall and frame elements are not required to be fire-resistance rated by Tables 601 & 602 shall be permitted to have unlimited unprotected openings (this allows the Church to retain its unprotected openings)
 Vertical Separation of Openings (Sec. 704.9): no rating required for buildings three stories or less
 Parapets (Sec. 704.11): not required as wall is not required to be fire-resistance rated by Table 602
 Fire Wall (Sec. 705 & Table 705.4): 2-hour rating required – where buildings of Type V construction are involved
 Fire Door Rating (Sec. 715 & Table 715.4): 90-minute rating required, with 100 si max of wire glazing (Table (715.5.3))

▪ **Chapter 8 – Interior Finishes**

Min Class Fire Rating (Table 803.5) sprinklered building, E occupancy
 Exit enclosures and exit passageways Class "B" (flame spread 0-25, smoke dev. 0-450)
 Corridors Class "C" (flame spread 26-75, smoke dev. 0-450)
 Rooms and Enclosed Spaces Class "C" (flame spread 26-75, smoke dev. 0-450)

▪ **Chapter 9 – Fire Protection Systems**

Automatic Sprinkler System (Sec. 903) Building entirely sprinklered according to NFPA 13

▪ **Chapter 10 – Means of Egress**

Maximum Floor Area Allowances Per Occupant Load (Sec. 1004 & Table 1004.1.1):

Classroom – 20 net; Day Care (2 ½ or younger) – 35 net; Assembly – 15 net

ROOM NAME	AREA	LOAD FACTOR	OCCUPANTS	# OF REQ. EXITS FROM ROOM
Classroom 102	289	20 net (educational)	15	1 (per Table 1015.1)
Classroom 103	289	20 net (educational)	15	1 (per Table 1015.1)
Classroom 104	289	20 net (educational)	15	1 (per Table 1015.1)
Classroom 105	289	20 net (educational)	15	1 (per Table 1015.1)
Preschool 108	332	35 net (educational)	10	1 (per Table 1015.1)
Nursery 112	303	35 net (educational)	9	1 (per Table 1015.1)
Lobby 101	558	15 net (assembly)	38	1 (per Table 1015.1)
Main Floor Total			117	2 (per table 1019.1)

***Plans Examiner please note:** the building's main floor requires two exits, but each classroom within needs only one exit based on their occupancy load, as per Table 1015.1

Egress Width (Sec. 1005.1 & Table 1005.1): Main floor: $117/2=58.5 \times 0.2=11.7$ (min. width 36")

▪ **Chapter 29 – Plumbing Systems**

Occupancy	Occ. Load	Drinking Fountains		Water closets		Lavatories	
				Male	Female	Male	Female
		Req.	Prov.	Req.	Prov.	Req.	Prov.
Classrooms	50 nsf	1	1 (or 2)	1	2	1	2
(student use)	18 male						
	1,756 nsf						
	18 female						

Note: a child's size toilet room has been provided in the Preschool Room

CARLETON HART
 322 nw 8th avenue
 t 503 243 2252 f 503 2

EDUCATION BUILDING
 ATKINSON MEMORIAL CHURCH
 718 6th STREET
 OREGON CITY, OREGON

PERMIT SET

FIRE LIFE SAFETY

PROJ NO.
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