

PLANNING COMMISSION

RECOMMENDED CONDITIONS OF APPROVAL

September 13 November 13, 2017

Planning Files: CP-17-0002, DP-17-0003, NR-17-0004

(P) = Verify that condition of approval has been met with the Planning Division.

(DS) = Verify that condition of approval has been met with the Development Services Division.

(B) = Verify that condition of approval has been met with the Building Division.

(F) = Verify that condition of approval has been met with Clackamas Fire Department.

The applicant shall include the following information with submittal of a public improvement and/or grading permit associated with the proposed development. The information shall be approved prior to issuance.

1. Existing service connection to the 48-inch sewer pipe on site shall be usable and meet the minimum inside diameter requirement of 6" for serving commercial buildings. Any new connection to the Tri-City Service District (TCSD) main will require permission from TCSD with all approved permits provided to the City. (DS)
2. Extension of the 8-inch sanitary sewer main within Washington Street, to and through the site frontage will be required. (DS)
3. The applicant shall confirm that no buildings have sewer service running within the subject site. If other buildings have a sewer service running through the subject site, the applicant shall provide a new service line from the required 8-inch sanitary sewer main extension within its frontage. (DS)
4. The existing 6-inch water main in 17TH Street shall be upsized to the City's standard 8-inch diameter ductile iron water main. A fee-in-lieu of construction of the new 8-inch water main will be considered if upsizing of 6-inch pipe is shown to not be feasible. An adequate easement shall be provided for the water main along the frontage of 17th Street. (DS)
5. Overhead utilities along the site frontage shall be relocated underground. (DS)
6. The applicant will need to submit a photometric plan with the construction plan submittal to facilitate design of the streetlights by PGE. Streetlights shall be decorative and match the style of existing decorative streetlights found along Washington Street. (DS)
7. The applicant shall perform all cuts and restoration to pavement within the right-of-way in accordance with the City's Pavement Cut Standards. (DS)
8. All development shall be in conformance with the policies and design standards established by the Oregon City Municipal Code and with applicable standards in the city's public facility master plans and city design standards and specifications. (DS)
9. The applicant shall dedicate sufficient right-of-way (ROW) to provide, at minimum, a ROW width 43 feet north of the centerline for Washington Street. Improvements required north of the centerline along the frontage of Washington Street are: a 6-foot-wide half center lane, a 12-foot-wide travel lane, a 6-foot-wide bike lane, 8-foot-wide on-street parking, 0.5-wide curb, 4-foot-wide furnishing zone/planter strip, 6-foot-wide sidewalk and 0.5-foot public access. (DS)
10. 17th Street shall have a 24-foot wide street section, as can be accommodated without extending street pavement towards Abernethy Creek. The improvements required along 17th Street are 0.5-wide curb with gutter, 5-foot-wide curb-tight sidewalk and 0.5-foot public access. Portions

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of the sidewalk will be allowed to meander around the existing tree but shall be provided a public sidewalk easement. (DS)

11. The project shall meet water quality standards of Oregon City Stormwater and Grading Design Standards but is not required to meet flow control standards. (DS)
12. Applicant shall submit engineering calculation of cut and fill for the development for review and approval based on criteria outlined in Section 17.42.160.D of Oregon City Municipal Code. (DS)
13. Regarding construction standards within flood management areas, applicant shall adhere to Section 17.42.160.E of Oregon City Municipal Code. (DS)
14. Applicant shall obtain Erosion Control permit from the City and a 1200-C permit from Oregon Department of Environmental Services prior to commencing construction activities. (DS)
15. The applicant shall submit an engineered grading plan and geotechnical report for review and approval prior to approval of public improvement plans. (DS)
16. The applicant shall provide a memo or exhibit ~~To~~ to demonstrate exemption from OCMC chapter 17.44, ~~applicant shall provide an exhibit showing that for~~ excavation or fill within the Geologic Hazard overlay zone, ~~is limited to excavation or fill which is less than two feet in depth, or involves less than twenty-five cubic yards of volume.~~ However, should the applicant propose any work which is not exempt, -requiring excavation or fill which is more than two feet in depth, or which involves more than twenty-five cubic yards of volume within the Geologic Hazard overlay Zone the project will be subject to Geologic Hazard review as outlined in OCMC Chapter 17.44. (DS)
17. The applicant shall construct Washington Street along the site frontage including a center turn lane to provide for left turns into the site. Applicant shall provide additional traffic engineering analysis relating to the location of the site access that shows the location of proposed access will not ~~interfere~~ have a significant adverse impact with queuing or traffic operations at adjacent traffic signals ~~through the TSP planning horizon~~. (DS)
- ~~18.1. The applicant shall participate in the funding of improvements for the I-205/OR-99E ramp terminal projects (TSP Projects D75 and D76) in proportion to the development's traffic volumes as a percentage of total year 2035 intersection volumes from the TSP. Based on this methodology, the developer is responsible for 0.42% of the \$3 million cost for Project D75 and for 0.49% of the project cost for Project D76, resulting in a contribution from the applicant of \$12,600 + \$14,700. (DS)~~
- ~~19.1. The applicant shall participate in the funding of improvements for the Main Street/14th Street improvements (TSP Projects D7 and D8) in proportion to the development's traffic volume as a percentage of the predicted 2035 traffic volume at the intersection calculated in the TSP. Based on the applicant's predicted site traffic, the applicant's responsibility is 1.66% of the project's cost. The higher cost option in the TSP is listed at \$670,000, resulting in a contribution from the applicant of \$11,122. (DS).~~
- 20-18. With the exception of recommendations that conflict with Oregon City emergency egress requirements, ~~The~~ the applicant shall comply with the Oregon Department of Transportation's comments and recommendations in the memorandum provided on July 14, 2017. (P)
- 21-19. The applicant shall submit documentation demonstrating compliance with one or more of the options for Tree Removal and Mitigation in Chapter 17.41. Compliance with these standards shall be demonstrated in a tree mitigation plan report prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arboriculture. The project arborist preparing the tree mitigation plan shall coordinate with the project landscape architect to ensure that any trees to be preserved are indicated on the revised landscaping plans for the site and that all protective measures are

property installed pursuant to OCMC 17.41.130 - Regulated tree protection procedures during construction. The applicant shall provide a revised arborist report indicating recommendations for tree protection procedures during construction or as a minimum show compliance with protective measures in OCMC 17.41.130 B(1-9). (P)

~~22. The applicant shall coordinate with the Confederated Tribes of the Grande Ronde as needed to complete any necessary archeological investigations required for prior to any ground disturbance.~~

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~~23-20.~~ The applicant shall provide a clear schedule for timing of all public improvements related to mitigation thresholds, including transportation, sewer, water, stormwater facilities for approval by the Public Works Department prior to issuance of a grading or construction permit for public improvements.(DS)

The applicant shall include the following information prior to issuance of the grading permit associated with the proposed development.

~~21. The applicant shall coordinate with the Confederated Tribes of the Grande Ronde as needed to confirm the measures that will be taken to address the Tribes concerns regarding disturbance of possible archaeological sites.(P)~~

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The applicant shall include the following information with submittal of a Building Permit associated with the proposed development. The information shall be approved prior to issuance.

~~24-22.~~ For any multi-family building which would be subject to OCM 17.52.057 multi-family design standards, when the Detailed Development Plan for Phase II of the development is proposed the applicant shall provide additional mitigation for adjustment #4 (window design) such as increased minimum transparency, trim details, higher quality materials, greater articulation or modulation, or landscaping. (P)

~~25-23.~~ The applicant shall provide revised plans that include signs at the north main entrance to the hotel that indicate the location of the covered bicycle parking at the south entrance. (P)

~~26. The Applicant shall provide a public cross access easement between the parcels to ensure pedestrian and vehicle access is maintained. The easement shall provide mutual access between all of the properties onsite as well as with the adjacent train station.(P)~~

~~27-24.~~ The applicant shall obtain all necessary permits and approvals and shall comply with conditions of the Historic Review Board approval for file HR-17-002. (P)

~~28. The applicant shall provide revised plans that extend the Washington Street canopy further toward the street to highlight the entranceway, and propose art works, sculpture, fountain, lighting or a similarly prominent amenity feature placed on the side of the stone stairs facing Washington. The applicant shall also prepare a quantitative table that clearly demonstrates the enhanced transparency in square feet, size of the patio, articulation, and use of materials as compared to other facades, and improve the connection from the doorway to the main lobby. (P)~~

~~29. The applicant shall add additional transparency on the ground floor façade facing 17th Street to meet 60% of the visible portion of the façade.~~

~~30-25.~~ The applicant shall demonstrate compliance with the minimum of 10% landscaping for phase 1 on all revised landscaping plans. The applicant shall provide landscaping percentage calculations

for the parking lot interior and all other landscaped areas on the site prior to issuance of a building permit. (P)

~~31-26.~~ The applicant shall provide a revised landscaping plan indicating that within three years the landscaping will cover one hundred percent of the Landscaped areas including landscaping within the parking lot, and that 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. (P)

~~32-27.~~ The applicant shall provide a revised landscaping plan in conformance with OCMC 17.52.060.B that clearly indicates with an evergreen hedge or shrubs at the parking lot entryway on 17th Street. ~~Prior to issuance of a building permit, the applicant's landscape architect shall provide a revised landscaping plan conforming to OCMC 17.52.060.A.8.~~ (P)

~~33.~~ The applicant shall provide a revised landscaping plan that clearly indicates where pedestrian pathways within parking lots are constructed if proposed. Pedestrian walkways shall have shade trees spaced a maximum of every thirty five feet in minimum three foot by five foot tree wells; or trees spaced every thirty five feet, shrubs spaced no more than four feet apart on average, and ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees. (P)

~~34-28.~~ The applicant shall provide revised plans that indicate the use of a change in textural material or height of the pedestrian accessway within the parking lot drive aisle adjacent to the hotel to alert the driver of the pedestrian crossing area. (P)

~~35-29.~~ The applicant's photometric engineer shall provide revised lighting plans in compliance with OCMC 17.62.065.D.2., which indicate the use of full-cut-off style lighting fixtures or approved alternatives. The revised lighting plans shall include the min./max. Foot-candle ratio required to be shown in Table 1-17.62.065. (P)

~~36-30.~~ No lighting pole taller than 20 feet shall be permitted for Phase 2 without an adjustment through the Type III Master Plan or a Variance. (P)

~~37-31.~~ The applicant shall provide revised landscaping plans indicating an evergreen hedge of thirty to forty two inches or shrubs placed no more than four feet apart on average for the parking area/building buffer or revise the plans to show a seven-foot sidewalks with shade trees spaced a maximum of thirty-five feet apart in three-foot by five-foot tree wells at the sidewalk between the Hackett House and the adjacent parking lot. (P)

~~38-32.~~ The applicant shall provide revised landscaping plans that ~~the indicate the required parking area /building buffer landscaping add a tree at the landscape island between the trash enclosure and the adjacent parking space~~ at the rear of the hotel ~~and abutting the Hackett House on either side of the pedestrian walkway abutting the head in parking.~~ Furthermore the applicant shall utilize large caliper deciduous and evergreen trees to provide a dense screen within six months of planting between the Hackett House and the hotel. (P)

~~39-33.~~ Street trees will be selected from the Oregon City Street Tree List or otherwise approved as appropriate for use along the street frontages. Street trees along Washington Street will be in tree wells, trees along 17th Street will be planted behind the curb tight sidewalk. (P)

~~40-34.~~ If street trees are planted within an easement along 17th Street the applicant shall provide a protective covenant that allows the city to enforce the public street tree requirements in this area. (P)

~~41.~~ The applicant is responsible for contacting and applying for any Corps of Engineers or Department of State Land approvals necessary to undertake the project and shall provide evidence of such permits or exemptions obtained prior to issuance of a building permit. (P)

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42-35. The applicant shall submit adequate documentation to the Building Official to demonstrate compliance with the Flood Management Overlay District in OCMC 17.42.110, 17.42.160, and 17.42.190. (P)

43-36. The applicant shall submit a revised Traffic Impact Study when the Detailed Development Plan for Phase II of the development is proposed. (P)

~~44-1.~~ ~~The applicant shall have completed any Lot Line Abandonments or Adjustments necessary to comply with applicable building code requirements pursuant to OCMC 16.20 – Property Line Adjustments and Abandonment Process and Standards. (P)~~

~~45.~~ ~~The applicant shall revise the plans to comply with the parking area / building buffer landscaping requirement of Section 17.52.050(C)(1(a) (c)), or (2) for the head-in parking abutting the rear of the hotel and the Hackett House parking lot. (P)~~

46-37. ~~Except as outlined below, Any~~ fence proposal for the property shall comply with the applicable provisions of OCMC 17.54.100 – Fences and OCMC 17.62.050.A.21 Building Materials and shall be reviewed through a Type I or Type II Site Plan Review process, as applicable. The applicant is permitted a combined fence/retailing wall height of 15 feet. The applicant is permitted to install an eight foot tall fence consistent with ODOT standards along the railroad ROW. (P)

47-38. The proposed adjustment to building height for Phase 1 is approved. The adjustment does not apply to Phase 2. (P)

39. Adjustment #5 to Section 17.62.055.H.2 – Minimum Wall Articulation, is approved. This adjustment applies to Phase 1.

40. Adjustment #6 to Section 17.62.055.D.3 – Relationship of Buildings to Streets and Parking, is approved. This adjustment applies to Phase 1.

The applicant shall submit the information confirming the following prior to issuance of a Building Permit associated with the proposed development.

41. The applicant shall have completed any Lot Line Abandonments or Adjustments necessary to comply with applicable building code requirements pursuant to OCMC 16.20 – Property Line Adjustments and Abandonment Process and Standards. (P)

The applicant shall include the following information prior to issuance of an occupancy permit associated with the proposed development. The information shall be approved prior to issuance.

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42. The applicant shall participate in the funding of improvements for the I-205/OR-99E ramp terminal projects (TSP Projects D75 and D76) in proportion to the development's traffic volumes as a percentage of total year 2035 intersection volumes from the TSP. Based on this methodology, the developer is responsible for 0.42% of the \$3 million cost for Project D75 and for 0.49% of the project cost for Project D76, resulting in a contribution from the applicant of \$12,600 + \$14,700 prorated between Phase 1 and Phase 2 based on projected traffic impact. (DS)

43. The applicant shall participate in the funding of improvements for the Main Street/14th Street improvements (TSP Projects D7 and D8) in proportion to the development's traffic volume as a

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percentage of the predicted 2035 traffic volume at the intersection calculated in the TSP. Based on the applicant's predicted site traffic, the applicant's responsibility is 1.66% of the project's cost. The higher cost option in the TSP is listed at \$670,000, resulting in a contribution from the applicant of \$11,122. Proportionated between Phase 1 and Phase 2 based on projected traffic impact (DS).

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44. The Applicant shall install Artwork related to the end of the Oregon Trail with a minimum of eight square feet in surface area at the stone wall adjacent to the sidewalk at the landing for the building entrance facing Washington Street.(P)

45. The Applicant shall provide a public cross-access easement between the parcels to ensure pedestrian and vehicle access is maintained. The easement shall provide mutual access between all of the properties onsite as well as with the adjacent train station and 17th Street.(P)

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~~50-46.~~ The duration of approval of this General Development Plan is five years unless amended prior to expiration. (P)

~~51-47.~~ Per OCMC 17.41, if tree mitigation option #1 is chosen, the applicant shall recorded a protective covenant for all trees to be preserved and planted on-site prior to issuance of a certificate of occupancy for phase 1 or 2.(P)