

APPENDIX D

2012 Notice of Decision and Condition of Approval



NOTICE OF LAND USE DECISION
DATE OF MAILING OF THE DECISION: March 1, 2012

FILE NO.: CP 11-01: Master Plan
DP 11-03: Detailed Development Plan
NR 11-05: Natural Resource Overlay Exemption
LL 11-07: Lot Line Adjustment

APPLICATION TYPE: Type III

**APPLICANT/
OWNER:** Providence Willamette Falls Medical Center
C/o Russell Reinhard
1500 Division Street
Oregon City, Oregon 97045

REPRESENTATIVE: Peterson Kolberg & Associates
C/o Steve Kolberg
6969 SW Hampton Street
Portland, Oregon 97223

REQUEST: The applicant submitted a Concept (General) Development Plan, Detailed Development Plan, Lot Line Adjustment and Natural Resource Overlay District Exemption to analyze the build out of the Providence Willamette Falls Hospital over the next 10 years and construct a parking lot.

LOCATION: 1500 Division Street, Oregon City, OR 97045
Clackamas County Map 2-2EAB, Tax Lots 1201, 1900, 2000, 2100, 2200, 2400, 2500, 2800, 2900, 3100, 3900, 4000, 4100, 4200, 4400, 4600
Clackamas County Map 2-2E-32AA, TL 400 and
Clackamas County Map 2-2E-32AC, TL 101, 201

DECISION: Approval with Conditions.

On February 27, 2012, after reviewing all of the evidence in the record and considering all of the arguments made by the applicant, opponents and interested parties, the Planning Commission concluded by a 5-0 vote that the applications would meet the requirements of each applicable section of the Oregon City Municipal Code as proposed by the applicant or with conditions adopted by the Commission. Therefore, the Planning Commission adopts as their own the staff report with conditions and approves with conditions the application.

The decision of the Planning Commission is final unless appealed to the City Commission within fourteen (14) days following the mailing of this notice. Only persons who participated in the process, either through written comments or public testimony, may appeal this limited land use decision. The request for a hearing shall be in writing. The request for a hearing shall demonstrate how the party is aggrieved or how the proposal does not meet the applicable criteria. The application, decision (including specific

conditions of approval), and supporting documents are available for inspection at the Oregon City Planning Division. Copies of these documents are available (for a fee) upon request.

A city-recognized neighborhood association with standing that is requesting an appeal fee waiver pursuant to 17.50.290(C) must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal.

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

CONDITIONS OF APPROVAL

CP 11-01: Master Plan, DP 11-03: Detailed Development Plan,
NR 11-05: Natural Resource Overlay Exemption and LL 11-07: Lot Line Adjustment

1. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval.
2. Prior to issuance of the first Detailed Development Plan for Phase 3, the applicant shall submit documentation demonstrating that the master plan complies with the minimum floor area ratio of 0.25. *(P)*
3. Prior to issuance of permits associated with the Detailed Development Plan for Phase 1, the applicant shall submit a revised calculation demonstrating the master plan does not have more than eighty percent site coverage of buildings and parking lots. *(P)*
4. Prior to issuance of permits associated with the Detailed Development Plan for Phase 1, the applicant shall submit a revised calculation demonstrating compliance with the minimum landscaping standards in Chapter 17.31.060.G and 17.62.050.A.1 of the Oregon City Municipal Code. *(P)*
5. The applicant shall install the following public improvements as required.
 - Division Street, a Minor Arterial, would be improved with each phase of the Master Plan as follows:
 - Phase 1 (Parking Lot Improvements between Davis Road and Penn Lane): Construction of 2.5-foot wide full depth pavement restoration adjacent to new curb and gutter, 8 ft sidewalk with 4- by 6-ft tree wells, bike lane striping and markings, street lighting, and street trees.
 - Phase 2 (Front Entry Improvements and Birthplace Expansion): Match improvements from ED expansion approved in CU 03-03, including but not limited to a 4-foot ROW dedication across Tax Lot 1900 and 2000. Construction of full depth pavement restoration from the northern end of the ED improvements to Davis Road for a width of 26 feet on the eastern half and 10 feet on the opposing side. New curb and gutter, 8-foot sidewalk with 4- by 6-ft tree wells, bike lane striping and markings, street lighting, and street trees.
 - Phase 3 (East MOB): Construction of full depth pavement restoration between Davis Road and Penn Lane for a width of 20 feet on the eastern half (2-inch mill on the easternmost 2.5 feet done in Phase 1) and 10 feet on the opposing side.
 - Phase 3 (West MOB): A 4-foot ROW dedication from 15th Street to 16th Street to provide 34 feet from centerline on the west side. Construction of full depth pavement restoration between 15th Street and 16th Street for a width of 26 feet on the western half and 10 feet on the opposing side (if not completed by other phases). Construction of curb and gutter, 8 ft sidewalk with 4- by 6-ft tree wells, bike lane striping and markings, street lighting, and street trees.
 - Davis Road, a Local Street, would be improved with Phase 1 and 2 of the Master Plan as follows:
 - Phase 1 (Parking Lot Improvements between Davis Road and Penn Lane): A 1-foot street dedication. Construction of 2.5-foot wide full depth pavement restoration adjacent to new curb and gutter, 4.5-foot planter strip with street trees, 5 ft sidewalk, and street lighting. Provide opposing ADA ramp at southeast corner of Davis Road/Division Street.
 - Phase 2 (Front Entry Improvements): Dedication to result in 26.5 feet of ROW on the southern side. Construction of pavement restoration as determined by Applicant's Engineer's analysis/design (and

coordination with City's Pavement Condition Index at time of design). Construction of 2.5-foot wide full depth pavement restoration adjacent to new curb and gutter, 4.5-foot planter strip with street trees, 5 ft sidewalk, and street lighting.

- 15th Street, a Collector, would be improved with Phase 3 of the Master Plan as follows:
 - Phase 3 (West MOB): There is 38 feet of existing pavement, with 19 feet on the MOB side. Construction of pavement restoration as determined by applicant's engineer's analysis/design (and coordination with City's Pavement Condition Index at time of design) across the tax lot frontages for a width of 19 feet on the northern half and 10 feet on the opposing side. Evaluation of the existing street lighting and install as necessary to meet current IES. Installation of street trees in existing planter strip and bike route signs.
- Penn Lane, a Local Street, would be improved with Phase 3 of the Master Plan as follows:
 - Phase 3 (East MOB): Construction of full pavement section adjacent to 1716 Penn Lane for a width of about 6 feet on the southern half with curb and gutter, 4.5-foot planter strip, 5-foot sidewalk, street trees, and street lighting.

Although this Master Plan approval is for all three phases of the project, it is not possible at this time to determine what transportation improvements may be required to mitigate impacts on the transportation system from Phases 2 and 3 which would be constructed up to 10 years in the future. A determination of the adequacy of the existing traffic infrastructure, the extent of the Providence Willamette Falls impacts, what improvements in the form of mitigation measures will be required, and/or the portion of the construction costs of those measures which should be borne by the Providence Willamette Falls, will be made at the time of consideration of the detailed development plan for each Phase 2 and 3. Cost estimates shall be based on estimates contained in the Regional Transportation Plan or Oregon City Transportation System Plan, whichever is most current, with cost estimates updated by applying a published construction cost index. For projects already programmed for construction, the final project cost of most current cost estimates shall be utilized. If the impacts cannot be adequately mitigated based on the standards in effect at the time of filing the detailed development application, the detailed development plan will be denied. (*P and DS*)

6. The applicant is responsible for this project's compliance with Engineering Policy 00-01. (*DS*)
7. Prior to issuance of permits associated with the Detailed Development Plan for Phase 1, the applicant shall install a pedestrian accessway within or adjacent to the proposed parking lot which complies with the Oregon City Municipal Code and provides safe access to pedestrians walking from the northern portion of the parking lot south towards the main hospital facility. (*P*)
8. During the Detailed Development Plan reviews, the applicant shall provide connection to new/existing water lines for new future facilities as required by plumbing code. (*DS*)
9. During the Detailed Development Plan reviews, the applicant shall provide connection to new/existing sanitary sewer for new future facilities as required by plumbing code. (*DS*)
10. The applicant shall provide stormwater facilities as necessary for street improvements and facility construction. Downstream conveyance calculations/analysis shall be performed for all existing storm systems where the applicant's new facilities increase the stormwater flow. (*DS*)
11. The applicant shall comply with the Oregon City Stormwater Design Standards and evaluate the existing stormwater facilities on 15th Street during Phase 3, West MOB. Current street curb drainage flow on 15th Street exceeds the 400-foot length standard on the north side. Construct a curb basin to connect into the eastern end of the storm line as necessary. (*DS*)
12. During each of the Detailed Development Plan reviews, the applicant shall provide site analysis to determine extent of stormwater detention and water quality that are required by the current code and implement appropriate Low Impact Design efforts. (*DS*)
13. New fire hydrants would be placed according to fire department code at the time of individual Detailed Development Plan review. (*DS*)
14. The development proposal shall be reviewed for compliance with the Clackamas County Fire Department upon submittal of the Detailed Development Plan. (*DS*)
15. In order to mitigate the impact of the adjustment to increase the number of contiguous parking stalls permitted without landscape strips, the applicant shall increase the minimum interior parking lot landscaping from 10% to 12%. The applicant may choose not to utilize the adjustment for a particular parking lot. If a parking lot

does not utilize the adjustment and provides no more than eight contiguous parking spaces without an interior landscape strip, the applicant does not have to increase the minimum interior parking lot landscaping for that parking lot from 10% to 12%. (P)

16. Prior to issuance of permits associated with the Detailed Development Plan for Phase 1, the applicant shall submit a tree mitigation plan displaying the location of the 4 mitigation trees per OCMC Chapter 17.41. (P)
17. Prior to issuance of permits associated with the Detailed Development Plan for Phase 1, the applicant shall submit documentation displaying compliance with the tree protection standards in OCMC Chapter 17.41.130 of the Oregon City Municipal Code. (P)
18. Prior to issuance of permits associated with any Detailed Development Plan, the applicant shall demonstrate that the subject site provides sufficient parking for the proposed development to demonstrate compliance with the number of parking spaces required in OCMC 17.52.020 and that all loss of existing parking due to nonconforming upgrades has been mitigated by installing an additional parking stall onsite. Prior to issuance of permits associated with the Detailed Development Plan for Phase 3, the applicant shall demonstrate that the Providence Willamette Falls campus associated with the Master Plan complies with the with the number of parking spaces required in OCMC 17.52.020. (P)
19. Prior to issuance of permits associated with the Detailed Development Plan for Phase 1, the applicant shall submit documentation indicating the minimum 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. (P)
20. Prior to issuance of permits associated with the Detailed Development Plan for Phase 3, the applicant shall submit sufficient documentation to demonstrate the subject site complies with the carpool and vanpool parking standards in OCMC Chapter 17.52.030.E. (P)
21. Prior to issuance of permits associated with any Detailed Development Plan, the applicant shall demonstrate that the subject site provides sufficient bicycle parking for the proposed development to demonstrate compliance OCMC 17.52.040. Prior to issuance of permits associated with the Detailed Development Plan for Phase 3, the applicant shall demonstrate that the Providence Willamette Falls campus associated with the Master Plan complies with the with the bicycle parking spaces required in OCMC 17.52.040. (P)
22. Prior to issuance of building permits associated with Detailed Development Plan for Phase 1, the applicant shall submit a revised landscaping plan with landscaping in all areas of the parking lot which are not used for parking, maneuvering, or circulation. (P)
23. Prior to issuance of building permits associated with Detailed Development Plan for Phase 1, the applicant shall submit a revised landscaping plan with a street tree from the Oregon City Street Tree List for the appropriate tree well width or documentation from the a certified arborist demonstrating the appropriateness of the tree species and documentation demonstrating that all required landscaping trees shall be of a minimum two-inch minimum caliper size (though it may not be standard for some tree types to be distinguished by caliper) and planted according to American Nurseryman Standards. (P)
24. Prior to issuance of a permit associated with Detailed Development Plan for Phase 1 the applicant shall submit documentation assuring that all landscaped areas within the proposed parking lot include irrigation systems unless an alternate plan is submitted, and approved by the community development director, that can demonstrate adequate maintenance. (P)
25. Prior to final of building permits associated with Detailed Development Plan for Phase 1, the applicant shall prune vegetation, relocate signage and review on-street parking as required in the transportation impact study by Julia Kuhn, PE of Kittleson and Associates (Exhibit 2) for proper sight distance. (P and DS)
26. Prior to issuance of building permits associated with Detailed Development Plan for Phase 1, the applicant shall submit documentation assuring that the proposed parking lot complies with the parking lot incorporate design standards in accordance with Chapter 13.12, Stormwater Management. (DS)
27. Prior to issuance of building permits associated with Detailed Development Plan for Phase 1, the applicant shall submit a revised landscaping plan demonstrating compliance with the perimeter parking lot landscaping standards in OCMC 17.52.060.B. (P)
28. Prior to issuance of building permits associated with Detailed Development Plan for Phase 1, the applicant shall submit a revised landscaping plan demonstrating compliance with the perimeter parking lot landscaping standards in OCMC 17.52.060.C. (P)

29. Prior to issuance of building permits associated with Detailed Development Plan for Phase 1, the applicant shall submit a revised landscaping plan demonstrating compliance with the interior parking lot landscaping standards in OCMC 17.52.060.D. *(P)*
30. Prior to issuance of building permits associated with Detailed Development Plan for Phase 1, the applicant shall submit documentation assuring that within three years, cover one hundred percent of the landscape area and 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)*
31. Prior to final of the proposed Detailed Development Plan and Master Plan Phase 1, the applicant shall submit a recorded access easement with all adjacent sites where access is obtained. *(P)*
32. Prior to final of the proposed Detailed Development Plan and Master Plan Phase 1, the applicant shall submit sufficient documentation demonstrating maintenance in accordance with the standards identified in OCMC 17.62.050.A.10. *(P)*
33. Prior to issuance of the proposed Detailed Development Plan and Master Plan Phase 3, the applicant shall submit documentation demonstrating that for all new buildings, where there is 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 Section 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 Section 17.62.055D. *(P)*
34. Prior to issuance of the proposed Detailed Development Plan and Master Plan Phase 1, the applicant shall submit a photometric plan demonstrating compliance with OCMC 17.62.065 for the pedestrian walkway within the parking lot. *(P)*
35. Prior to issuance of the proposed Detailed Development Plan and Master Plan Phase 1, the applicant shall submit documentation demonstrating compliance with OCMC Chapter 12.08 for the Division Street frontage adjacent to the proposed parking lot associated with the Phase 1 Detailed Development Plan. If the applicant submits documentation from an engineer indicating the proper spacing cannot be met due to sight line or other unavoidable issues, the Community Development Director may approve an alternative such as planting a tree in an alternate location or providing a fee-in-lieu. *(P)*
36. Prior to final of permits associated with the Detailed Development Plan for Phase 2 of the Master Plan, the applicant shall submit a phasing plan displaying the general location and prioritization of the nonconforming upgrades to the site required per OCMC 17.58.040.C. Each Detailed Development Plan will be reviewed for compliance with the Nonconforming chapter in the Oregon City Municipal Code. *(P)*
37. The applicant shall sign a Non-Remonstrance Agreement (NRA) prior to final occupancy for any Phase or portion of a Phase built on a property not already covered by a NRA for the purpose of making sanitary sewer, storm sewer, water or street improvements in the future that benefit the property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement; this includes paying the document recording fee. *(DS)*

(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.