

454 S. Center Street
Oregon City, OR 97045
May 23, 2017

Kattie Riggs
City Recorder
Administration
625 S. Center Street
Oregon City, OR 97045

Re: HR17-04 Public Works Historic review for a New Facility

Dear Ms. Riggs:

Please file the following comments in the referenced proceeding. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Combs", with a long horizontal flourish extending to the right.

Charles Combs

cc: Trevor Martin
Jesse Buss

1. Introduction

The application fails to meet the requirements of Oregon City Municipal Code (“OCMC”) § 17.040.060.F. Further, the proposed development is contrary to several Comprehensive Plan goals and policies, as described below. Thus, the proposed development violates OCMC § 17.040.060.F.2. The proposed development would detract from the protection, enhancement, and perpetuation of the McLoughlin Historic Conservation District, would harm the City’s aesthetic heritage, and would discourage the “use of historic districts . . . for the education, pleasure, energy conservation, housing and public welfare of the city.” The proposed development would harm the surrounding neighborhood and the livability of all of Oregon City. Therefore, the proposed development is inconsistent with the purposes of the historic conservation district as set forth in OCMC § 17.40.010, contrary to the Staff Report.

The proposed development would transform the area adjacent to John Adams Street between South Center Street and Spring Street from an area of beautiful trees, a publicly-used street, a few, potentially historic, buildings and views across the Willamette River into paved parking lots for heavy equipment, employees and those doing business with the Public Works Department, material storage areas, and office, maintenance, and storage buildings. The entire development would be fenced and gated to prohibit public access to this area that now includes abundant public parking for access to the mixed-use path from the third level of the City through Waterboard Park to John Adams Street. From John Adams Street, pedestrians and bicyclists can access the neighborhoods and businesses in the McLoughlin Conservation District and connect with the Promenade, Municipal Elevator, and Singer Hill stairs to access restaurants and shops Downtown. Or, from South Center Street, they can connect with the Willamette Falls overlook at McLoughlin Boulevard and South 2nd Street, and to the Promenade overlooking Downtown. The fencing and gating of the proposed development would eliminate this path. Instead of adding to the livability of the neighborhoods near this major pedestrian confluence point, the development would discourage pedestrian use of the path through Waterboard Park to the amenities in the McLoughlin Conservation District, the Promenade, the Downtown, and the Willamette Falls Legacy Project due to the presence of heavy equipment, the destruction of scenic views by construction of buildings and parking lots, blocked public access to scenic views, and improvements that restrict public access to areas that are now enjoyed by the public, except for Public Works Department business. This proposed development would be inconsistent with the trend of growth of new pedestrian-friendly businesses and institutions in the area. It would detract from the aesthetic beauty and livability of the McLoughlin Historic Conservation District, which includes most of Waterboard Park.

2. The Historic Review Board’s scope of review is greater than Staff claims. The Staff Report statement at p. 10 that “the Historic Review application is for the Historic Review Board to review the design of the proposed structures, and not determine whether or not the use is appropriate for the zoning district” is incorrect.

HRB's review is to consider *all* construction connected with the application, including related demolition, clearing, and grading

The HRB review is not limited to the design of the proposed structures. Instead, the HRB is to apply all the criteria in OCMC § 17.40.060.F.

OCMC § 17.40.060.A, states, in part:

nor shall there be *any* new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board.

(Emphasis added). The ordinance requires consideration of *any* construction on the site, which includes more than just the design of the office building. Further, any related demolition or grading should be considered, since it is part of the construction process and, in this case, will have lasting adverse impacts on the site.

Phase I construction includes demolition of existing buildings, re-grading, and adding underground utilities, remodeling the Armory, construction of a storage and an office building, building covered parking, building paving bins, “etc.”, and building an elevator.¹ It also includes the closure of John Adams Street to public traffic between the Armory and the residential properties along Center Street, which would be accomplished by construction of security fencing around the upper site with 2 gates; construction of a turnaround and limited parking area at the gate from South Center Street; construction of dewatering/sanitary disposal/wash station and covered van and large truck parking; removal of a rock outcropping on the upper site and reuse of the rock as fill; paving of the upper site; and improve landscaping at the upper site to screen new construction.²

3. Phase I construction includes “[p]rovide security fencing around the upper site with 2 access gates.” The Phase I Fencing Plan diagram shows the fencing around the construction site and gates across John Adams Street. The Transportation Plan shows an existing mixed-use path from approximately the first house north of the Armory to South Center Street, within, and along the upper edge of, the proposed construction site that intersects with the end of Waterboard Park Road. The proposed closure of John Adams Street would block the available pedestrian and bicycle path from Waterboard Park Road to John Adams Street and thence to South Center Street, and will violate the Transportation Plan by such closure in combination with construction over the existing multi-use path shown in

¹ Application, section 1.2.

² Application, Appendix, Pre-Application Conference Notes dated 12/21/16, on City letterhead.

the Transportation Plan. The Transportation Plan is a part of the Comprehensive Plan,³ and is therefore an HRB criterion under OCMC § 17.040.060.F.2.

The Transportation Plan lists Waterboard Park Road and a path at the rear of the proposed construction site to near where John Adams intersects with South Center Street as a shared use path.⁴ Currently, that path is not useable, but John Adams Street from Spring Street to South Center Street is available for pedestrians and bicyclists from the end of Waterboard Park Road and is therefore effectively the shared used path identified in the Transportation Plan. Although the application lists “construction of a pedestrian path at the southeast corner of the site that ties into the existing path in Waterboard Park,”⁵ nothing in the Phase I application replaces the shared use availability of John Adams Street for both pedestrians and bicyclists between Spring Street and South Center Street. Further, nothing in the construction plans attached to the application shows the shared path within the site.

The shared use path of Waterboard Park Road and John Adams Street from Spring Street to South Center Street is a key pedestrian and bicycle connection between the third level of Oregon City, the McLoughlin Historic Conservation District, and the downtown, and it is currently useable because of the public availability of John Adams Street between Spring Street and South Center Street. The application and the pre-application conference notes are silent about this shared use path. The security fencing and gates will preclude any public use of the path between Spring Street and South Center Street, and therefore the proposal eliminates this important shared use path in violation of the Transportation Plan. If construction is approved and John Adams Street blocked as proposed, to avoid violation of the Transportation Plan, a shared use path as described in the Transportation Plan must be included in Phase I. Either the existing pedestrian and bicycle access over John Adams between Spring Street and South Center Street must be preserved or construction must include a shared use path as described in the Transportation Plan. Otherwise, the application should be denied because of violation of the Transportation Plan.

The elimination of this shared use path also violates several relevant Comprehensive Plan policies. They are:

- Policy 2.2.9 – Improve connectivity for vehicles, bicycles, and pedestrians within the Oregon City Downtown community and waterfront master plan areas and improve links between residential areas and the community beyond.
- Policy 2.4.3 – Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.

³ OAR 660-012-0015(4) (1991).

⁴ See, e.g., Transportation Plan, Vol. 2, sec. C, Figure 5, Multi-Modal Connectivity Plan, sec. D, Figure 2, Existing Pedestrian Facilities, Figure 3, Existing Bicycler Facilities, sec. I, Figure 4, Walking Solutions, sec. I, Figure 5, Biking Solutions, sec. I, Figure 6, Shared Walking and Biking Solutions.

⁵ Pre-Application Conference Notes dated 12/21/16, p. 3.

- Policy 2.4.5 - Ensure a process is developed to prevent barriers in the development of . . . parks, and other uses that serve the needs of the immediate area and the residents of Oregon City.
- Policy 9.8.6 – Encourage the provision of multi-modal transportation to support major existing employers.
- Policy 12.1.4 – Provide walkable neighborhoods. They are desirable places to live, work, learn, and play, and therefore a key component of smart growth.
- Policy 12.3.2 – Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.
- Policy 12.3.3 – Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.
- Policy 12.7.4 – Promote multi-modal transportation links and facilities as a means of limiting traffic congestion.

These policies are relevant to this application because preserving or constructing a shared use path through the proposed construction site that connects with Waterboard Park Road will benefit the McLoughlin Historic Conservation District and all the residents of, and visitors to, Oregon City by improving safe access for residents and visitors between the levels of Oregon City to scenic sites in Waterboard Park, the Promenade, the Willamette Falls overlook at South Second Street and McLoughlin Boulevard, the businesses along Seventh Street, Downtown businesses, and the Willamette Falls Legacy Project.⁶

⁶ See Transportation Plan, pp. 64-66, Walking Solutions FF22, FF31, FF32, W64, and W69, Biking Solutions B57, B58, and B59, and Shared Walking and Biking Solutions S37, S45, and S46.

4. Summary

The Historic Review Board's required scope of review is much broader than the Staff Report states. The HRB must consider all proposed construction, especially the construction that is harmful to the livability⁷ of the neighborhood and Oregon City. The HRB should not approve an application that removes an important shared use path listed in the Transportation Plan.

Respectfully submitted,



Charles Combs
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Oregon City, OR 97045
503-655-0460

⁷ Comprehensive Plan, p. 12:

The City recognizes neighborhoods as the essential building blocks of a livable city. Neighborhoods and specific places within them give people an orientation, sense of history, community, and "groundedness." A place may be a feature such as a large public clock Downtown where people meet before going to lunch or a bench near the edge of a bluff with a great view. Place-making adds to the quality of life for a community. As the city grows, existing places should be protected and opportunities for creating new, special places explored.