

Pre-Application Conference Notes

PA-17-0070

Applications Anticipated: Master Plan Amendment, Detailed Development Plan, Applicable Overlay Districts, Subdivision (Mod).
Project Name: COVE WATERFRONT
Pre-Application Conference Date: December 13, 2017
Planning Division reviewer: Pete Walter, AICP
PW Development Services: Mario De La Rose, PE (See separate notes)

Please note that the draft pre-application conference notes are based on the applicant's pre-application submittal. A finalized version of the pre-application conference notes that reflects any additional items discussed during the meeting will be provided to the applicant following the meeting.

Proposed Project:

- Phase 1 – Currently under construction
- Phase 2
 - Eight structures
 - Building A – South - 7000 sf community center
 - Two restaurants – approximately 4000 sf each
 - 7,000 sf retail or office space
 - 400 units of multi-family of 6 types including live-work, 601– 1361 sf, Avg. 891 sf.
 - Structured parking
 - 623 parking spaces required / 730 spaces proposed, including on-street
 - Phase 2 will also include construction of a portion of Main Street
 - Construction of Agnes Street from Main Street to North Park
 - Agnes Street Extension
 - Public access esplanade on Tract C which is located between Clackamette Cove and the Waterfront Residences
 - The North Park and amphitheater located on Tract D in the Northeast corner of the development.
- Phase 3
 - Buildings D-North and D-South
 - Construction of the remainder of Main Street
 - Water quality and wetland mitigation program with an interpretive trail system and additional trailhead parking on Lot 1, Tract A, the inlet, and the spit, in the Southwest corner of The Cove Development.
 - Cove Garden Apartments 1, 2, 3, 5 and Club House?
- Phase 4
 - May include development of a non-motorized marina, swim dock and water sports center at Clackamette Cove adjacent to the Esplanade and the North Park.
 - Possible construction of Clackamas River Trail trailhead parking on Lot 1.

General Information:

- Zoning: “MUD” Mixed Use Downtown District
- Applicable overlay districts:
 - Natural Resource Overlay District
 - Floodplain management Overlay District
 - Geologic Hazards Overlay District
- Current / Previous Approvals
 - CP 15-01: Concept (Master) Plan Amendment
 - DP 15-01: Detailed Development Plan
 - NR 15-05: Natural Resources Overlay District Review
 - US 15-06: Geologic Hazards Overlay District Review
- Older Approvals
 - Concept Development Plan: CP 08-05 (Older, replaced by CP 15-01)
 - Detailed Development Plan: DP 08-13 (Expired)
 - Water Resource: WR 08-21(Replaced by NR 15-05)
 - Subdivision: TP 08-11 (Recorded)
 - Geologic Hazards: US 08-03 (Expired)
 - Concept Development Plan Amendment: CP 09-02 (Replaced by CP 15-01)
 - Detailed Development Plan Amendment: DP 09-01 (Replaced by DP 15-01)
 - DP 10-01: Detailed Development Plan (Expired)
- Applications anticipated (Fees quoted are from the [2017 Planning Fee Schedule](#) and will be increased in 2018):
 - Type III Master Plan Amendment (\$3,445 application + \$1,365 traffic study for multi-family + \$2,729 traffic for non-residential + 2,046 traffic study for master plan) + 682 for large study area / key corridor
 - Subdivision Modification (See Fee Schedule)
 - Natural Resource Overlay District Type III Non-Single Family / Two Family Lot)
 - Geologic Hazard Overlay District (\$853 + pass thru fee)
 - Detailed Development Plan (see fee schedule) – Separate DDP required for each Building.
 - Note we can provide mailing labels for \$16
- Applicable Code:

You may choose between the code that was in place when something was added into the Master Plan and the current code.

 - Garden Apartments. – The multi-family was added to the Master Plan on August 27, 2009 with CP 09-02. Minor amendments to the code have been made since this time.
 - The Trailhead Parking Lot – The permanent or temporary trailhead parking lot is not within the approved Master Plan and thus the master plan will have to be amended. The design of the parking lot and the associated trail are subject to current code.
- Summary of Previous Master Plan Approvals:

Type of Use	2008 Approval	2009 Approval	2015 Proposal
Dwellings	224 Units – Condos 0 Units – Apts.	180 Units – Condos 220 Units – Apts.	195 Units – Condos 244 Units – Apts.
Retail Sales	0	≤3,520 Sq. Ft.	6,072 Sq. ft. Commercial? (Phase 1)
Restaurant	8,000 Sq. Ft. – High Turnover 8,000 Sq. Ft. - Quality	≤6,750 Sq. Ft. – High Turnover ≤6,800 Sq. Ft. - Quality	No Change
Office	42,300 – General 80,000 - Medical	≤131,920 Sq. Ft. (80,000 can be medical)	70,000 Sq. Ft. Office (Phase 3) 57,000 Sq. Ft. MU Office (Phase 4) Total 127,000 Sq. Ft.

Timing and Process:

If multiple applications are processed together, they are generally processed as the highest level of review of any of the applications. For example, if you concurrently submit an application for a Master Plan (Type III) and Detailed Development Plan (Type II), they are processed together as a Type III. An explanation of the application processes is provided in OCMC 17.50.

Note: the Planning Division will be requiring a separate Detailed Development Plan for each building due to the scale of the project in order to adequately cover staff review costs.

Transportation Impacts:

Please see separate comment letter from John Replinger, traffic engineering consultant to the City. John Replinger may be reached at Replinger-Associates@comcast.net or at 503-719-3383.

Expected Amendments to the Approved Master Plan:

Though the City has not been presented with the official Master Plan, it appears that the applicant will need to amend the Master Plan for the following reasons:

- Changes to the Phasing Plan
- Phase 3, the remediation and open space phase, will no longer include any structures other than in-water dock and marine (is this correct?)
- Please clarify timing and obligations to complete remediation, open space and trail improvements.
- Construction of a temporary parking lot and trail head on the condo lot.
- Increase the square footage of commercial for Lot 2.
- Significant increase the number of dwelling units.
- Changes to the prior approvals for the Natural Resource Overlay District, Flood Management Overlay District and Geologic Hazards Overlay District.

Development Services Division (Utilities/Public Improvements/SDC's, etc):

See separate notes from Public Works Development Services Division.

Natural Resource Overlay District (NROD) / Water Quality Resources Overlay District (WR):

A new NROD application for Phase 2 will be submitted. The Natural Resource Overlay District (formally the Water Quality Resources Overlay District) protects natural resources through the use of a vegetated corridor. For the locations in which development is proposed, a study and associated mitigation is required. It is the responsibility of the applicant to receive additional review from all other applicable agencies such as the Department of State Lands (DSL) and the Army Corps of Engineers.

Subdivision:

Modifications to the plat for Phase 2 may be submitted as a modification of the original plat TP 08-01 concurrently.

Geologic Hazards Overlay District (US):

See separate notes from Public Works Development Services Division. The applicant shall submit a geologic hazards review application with all applicable studies for development within the overlay. Prior to submission of an application, please arrange a meeting with Development Services to discuss the requirements. Once submitted, at the applicant's expense, the City will send the geologic report to our consultant to review. The City's geologic review consultant is Tim Pfeiffer, PE, CEG, with Foundation Engineering. Tim can be reached via email at tjp@foundationengr.com.

Flood Management Overlay District:

The applicant shall demonstrate compliance with the Flood Management Overlay District standards/ See [Chapter 17.42 - FLOOD MANAGEMENT OVERLAY DISTRICT](#).

Building Division:

You may contact Mike Roberts, our Building Official at 503.496.1517 or by email at mroberts@orc.org.

Clackamas Fire District:

Questions can be directed to Mike Boumann, Lieutenant Deputy Fire Marshal of Clackamas Fire District #1. You may contact Mr. Boumann at (503)742-2660 or michaelbou@ccfd1.com.

Answers to Applicant's Pre-App Questions:

1) As a part of the CDP Modification – will the City accept a modification package that includes information only relevant to the proposed modifications or will the City require past documentation from the original or the latest CDP approval?

This will be a new General Development Plan, not a Modification. City requires past documentation from the original or the latest CDP (GDP) approvals. Please review and summarize all prior adjustment approvals and Conditions of Approval for reference.

2) Project proposes removing and replacing all existing trees along the cove waterfront edge. What is the City's position regarding the existing vegetation and trees along the edge of the bank adjacent to the Waterfront Cove Project? - Does the City desire to have these removed and replaced? Would the City authorize that activity as exempt from the requirement for an NROD permit (and mitigation) per OCMC 17.49.080? Please confirm that trees that were not subject to mitigation under the City's Tree Protection Standards (OCMC 17.41) at the time of the original CDP approval (and last tree survey) will not require mitigation.

A new NROD application is required and current locations of all trees will be needed. Per OCMC 17.49.100, native trees may be removed only if they occur within ten feet of any proposed structures or within five feet of new driveways or if deemed not wind-safe by a certified arborist. Trees listed on the Oregon City Nuisance Plant List or Prohibited Plant List are exempt from this standard and may be removed. A protective covenant shall be required for any native trees that remain.

Trees outside of the NROD that are 6" DBH or larger must be shown on a tree plan and may be removed without mitigation IF deemed dead, diseased, dying or hazardous by a certified arborist – See [17.41.060 - Tree removal and replanting—Mitigation \(Option 1\)](#). Please note = per Definition [17.04.1360 - Tree, hazardous or diseased](#). "...An otherwise healthy tree that may become a hazard to a proposed future development shall not be considered a hazardous tree."

3) Are there any new code or anticipated code modifications the team should be aware of which will require additional documentation for the CDP Modification or DDP Application?

None at this time. Code amendments are anticipated in late 2018 to implement the Equitable Housing Policy Analysis project. These will include more flexibility in zoning to allow additional residential uses, appropriate density and housing types in many zones, with revised design standards. This will likely affect multifamily design, live-work and mixed use zoning standards. Depending on the timing of submittal of the applications, this may affect the applicant's decision regarding which code standards to follow – which is at the applicant's option with subsequent DDPs. Contact Pete Walter, Planner, for further details.

4) What version of the city code will we be held to for storm water and street improvements? Are we vested to standards of the time of the original approval or recent update?

Public Works and Engineering standards are not part of Title's 16 and 17 of the OCMC and cannot be vested. Current regulations will apply.

5) Can on-street parking be added to Agnes?

See Public Works Notes.

a) Will the City support angled parking and/or parallel parking – what standard?

See Public Works Notes and comments from Replinger and Associates.

b) What is the required street section for Agnes.

See Public Works Notes.

c) Will the city support adjustments to the landscaping along Agnes to maintain visibility to the commercial tenants in building B and C.

Pre-application materials do not provide sufficient detail to answer this question.

d) If so, what is the process for getting that approved?

On-Site landscaping may be adjusted through OCMC 17.65.070. Modifications to Landscaping in the Public ROW would be reviewed pursuant to OCMC 12.04.007.

6) Agnes Road – what portion of Agnes Road needs to stay above the 50.7' elevation – the entire roadway or just enough for 2 lanes? Does the on-street parking require elevation above 50.7?

See Public Works Notes.

7) Will the city support development of on-street parking on Agnes Road for both visitors and trail users in lieu of the previously proposed trailhead parking lot at lot 1? Phase 2&3 will maintain the existing temporary parking at lot #1. Additional trail head parking could be developed at lot 1 as part of Phase 4.

Applicant's parking calculations and transportation analysis should address the amount of parking needed to accommodate the trailhead parking. Will there be a clear and direct connection to the trailhead, including signage / wayfinding? Input from the Parks Department is pending on this question.

8) What is the maximum slope allowed within the PUE along Agnes Road?

See Public Works Notes.

9) We have determined stormwater can be conveyed from Agnes to the 48" diameter line previously constructed. We have also determined that the line has capacity to serve Agnes. Given this, what will the city require for connection to the previously constructed line?

See Public Works Notes.

10) Are there any special geotechnical testing or geotechnical report or geotechnical design requirements for the Agnes or the public utilities?

Yes. See Public Works Notes.

11) Will the City allow the franchise utilities to be under the sidewalk where the building is ROW tight? (Building South and North near central plaza)

See Public Works Notes.

12) Will the City allow a 5' wide PUE with blockouts for vaults?

See Public Works Notes.

13) Will the City allow water to be pumped from the Cove for a central plaza water feature that will circulate the water back into the Cove, provided this is approved by NMFS and ACOE?

Yes. Applicable engineering and building permits will be required. Applicant should also address this aspect of the project with the NROD application since the water will be diverted from a mapped Water Resource feature (the cove), and it is unclear whether this new man-made feature would be regulated under the NROD, OCMC 17.49.

14) Can the maximum wall height of 7' be exceeded at the wall facing Main Street with landscape mitigation? If so, please verify the process and necessary submittal materials.

See Public Works Notes.

15) Will the city support the review of the DDP and Construction Drawings concurrently in order to allow the project to begin next summer? Assumes the CDP approval will be obtained prior to formal submittal of the DDP and Construction Documents and that the NROD permit, Floodplain Permit and Geologic Hazard Overlay permit will be obtained concurrent with the CDP.

Yes. This is entirely at the applicant's risk. The City will be held harmless for any resubmission of construction drawings due to revisions that may occur as a condition of approval of the DDPs. Applicable review fees will be charged to cover staff review time for re-submittals.

16) Will the city support the use of mechanical treatment devices for areas onsite that are not able to be fully treated by vegetated facilities?

See Public Works Notes.

17) Is the proposed design an acceptable alternative to the 2" window recess or projection required under multi-family standards?

Staff could not find a detailed drawing for the proposed window design in the pre-application materials.

18) Please confirm all required submittal fees and applicable system development charges.

See Page 2. For SDCs see Public Works Notes.

Multi-Family Design Standards See OCMC 17.62.057 - Multi-family standards.

Staff will forward additional comments following pre-app.

Institutional and Commercial Design Standards – See 17.62.055 - Institutional and commercial building standards.

Applies to ground floor commercial and mixed-use buildings. Staff will forward additional comments following pre-app.

Notes:

- A Neighborhood Association meeting is required prior to a complete application. The site is in the Two Rivers Neighborhood Association.

Two Rivers Neighborhood Association

Chair: Bryon Boyce, bryony@birdlink.net, (503) 655-4457

Secretary: Margie Hughes, margiehughes1@aol.com

CIC Representative: Bryon Boyce, bryony@birdlink.net, (503) 655-4457

Planning Division Contact: Pete Walter, pwalter@orc.org, (503) 496-1568

Meetings: TBD for 2018 – Contact N.A.

Located: First City Cycles Bistro, 1800-1866 Main St, Oregon City, OR 97045 7:00 PM

- Signs must comply with the sign code - OCMC 15.28.
- System Development Charges (SDC) shall be due and payable upon building permit issuance.
- Show any walls, fences or retaining walls proposed to be in accordance with OCMC 17.54.100.
- The City does not have a parking standard associated with parks or trails. Please provide parking standards for other jurisdictions to use as a comparison which can be incorporated into the approval.

Adjustments to Development standards

As part of the 2008 Concept Development Plan, nine (9) adjustments to the Oregon City Municipal Code were requested. Please refer to the staff report for details.

- | | |
|---------------------|--|
| 1) 16.12.290.A | Building Site – Setbacks and building locations. |
| 2) 17.62.055.E.2 | Variation in massing. |
| 3) 17.52.040.A | Carpool and vanpool parking. |
| 4) 17.34 and 17.62 | Maximum Building Setbacks. |
| 5) 17.49.050.H.5(c) | Water Quality Resource Area. |
| 6) 17.52.010 | Number of spaces required. |
| 7) 17.52.090.2 | Parking lot landscaping. |
| 8) 17.52.090.4 | Parking lot landscaping. |
| 9) 17.62.055.F.2 | Institutional and commercial building standards. Façade Treatment. |

As part of the 2015 Concept Development Plan, six (6) adjustments to the Oregon City Municipal Code were requested. Please refer to the staff report for details.

- | | |
|-------------------|---|
| 1) 17.62.055.F | Commercial First Floor Frontage for Buildings 3 and 5 |
| 2) 17.52.030 | Standards for Automobile Parking Lots for Trailhead Parking Lot |
| 3) 17.52.060 | Parking Lot Landscaping for Trailhead Parking Lot |
| 4) 17.44 | Geologic Hazards |
| 5) 17.54.100.A.1. | Rockery wall along Main Street |
| 6) 17.54.100.B | Western Retaining Walls |

Oregon City Municipal Code Criteria:

The following chapters of the Oregon City Municipal Code (OCMC) may be applicable to this proposal:

OCMC 12.04 - Streets, Sidewalks and Public Places

OCMC 12.24 – If using 2009 Code

OCMC 12.08 - Public and Street Trees

OCMC 13.12 – Stormwater Management

OCMC 15.48 – Grading, Filling and Excavating

OCMC 17.34 – “MUD” Mixed Use Downtown District

OCMC 17.41- Tree Protection Standards

OCMC 17.42 – Flood Management Overlay District

OCMC 17.44- Geologic Hazards

OCMC 17.49 – Natural Resource Overlay District

OCMC 17.50 – Administrative Processes

OCMC 17.52 – Off-Street parking and Loading

OCMC 17.62 – Site Plan and Design Review

OCMC 17.54 – Supplemental Zoning Regulations and Exceptions

OCMC 17.65 - Master Plans

MS-Word versions of the code are available for download on-line from the municipal code website.

Pre-application conferences are required by Section 17.50.050 of the City Code, as follows:

A. Preapplication Conference. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with City staff to discuss the proposal. To schedule a preapplication conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land

uses, traffic circulation, and public rights-of-way and all other required plans. The purpose of the preapplication conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the preapplication conference. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

B. A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the City will accept a permit application. The community development director may waive the preapplication requirement if, in the Director's opinion, the development does not warrant this step. In no case shall a preapplication conference be valid for more than one year.

NOTICE TO APPLICANT: *A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required.*



MEETING NOTES

Project Name Cove Waterfront Residences

Release Date 7.12.2017

Project Number 16752

Mtg Date 7.12.2017

Time 10:00 AM

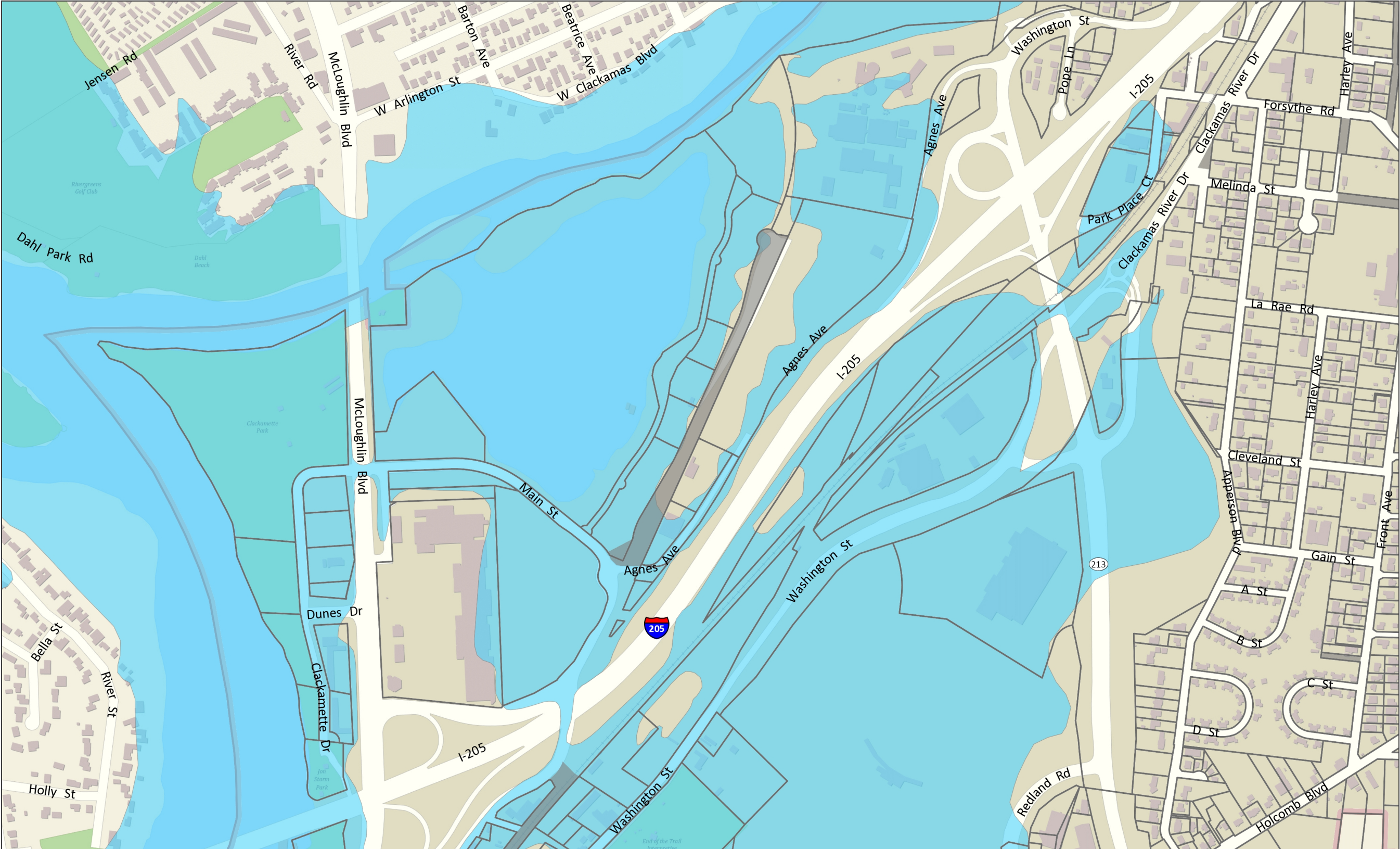
Meeting Location 216 Molalla Avenue
Oregon City, Oregon

<u>Attendees</u>	<u>Name</u>	<u>Init</u>	<u>Company</u>	<u>Init</u>
	Lloyd Hill	LH	Hill Architects	HA
	Robin Chard	RC	Hill Architects	HA
	Anders Otterlei	AO	Hill Architects	HA

Pre-App Conference

- LH overview of project
 - Agnes road section
 - Parking / Live-Work conflict
 - Aiming for construction start summer 2018
- Agnes Ave. – current R.O.W. abandonment?
- Old Agnes alignment vacated
- Agnes extension – easement?
- Conditions of Approval
 - #11 Flood plain compliance
 - #24 New 10" water line
 - #29 Roundabout / Agnes extension to Washington
 - #30 Agnes street section
 - Standard 60-86' width
 - Angle parking not part of standard, public works will consider with justification from traffic consultant

Oregon City GIS Map



Legend

- Taxlots
- Unimproved ROW
- FEMA 2008 - 100 yr Floodplain
- City Limits
- UGB
- Basemap

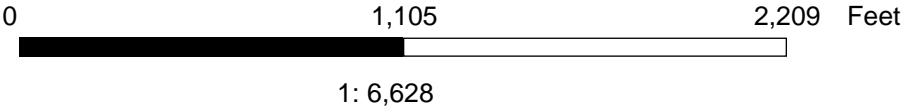
Notes

100 Yr Floodplain

Overview Map

An overview map of Oregon City, Oregon, showing the city's extent and major roads. A red rectangle highlights the area covered by the main map.

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.



Map created 4/15/2015

City of Oregon City
PO Box 3040
625 Center St
Oregon City
OR 97045
(503) 657-0891
www.orcity.org



Oregon City GIS Map



Legend

- Taxlots
- Unimproved ROW
- Geologic Hazards - Slopes
 - Slopes > 25%
 - Buffered (50ft)
- Geologic Hazards - Landslides
 - Landslides
 - Buffered (200 ft)
- Geologic Hazards - All
- City Limits
- UGB
- Basemap

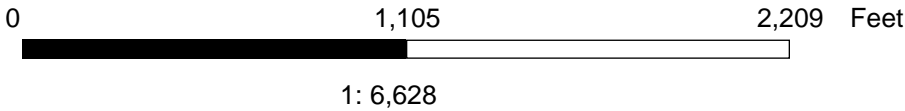
Notes

Slopes

Overview Map

The overview map shows the entire city of Oregon City, with a red rectangle indicating the area covered by the main map. The map includes labels for major roads and the city boundary.

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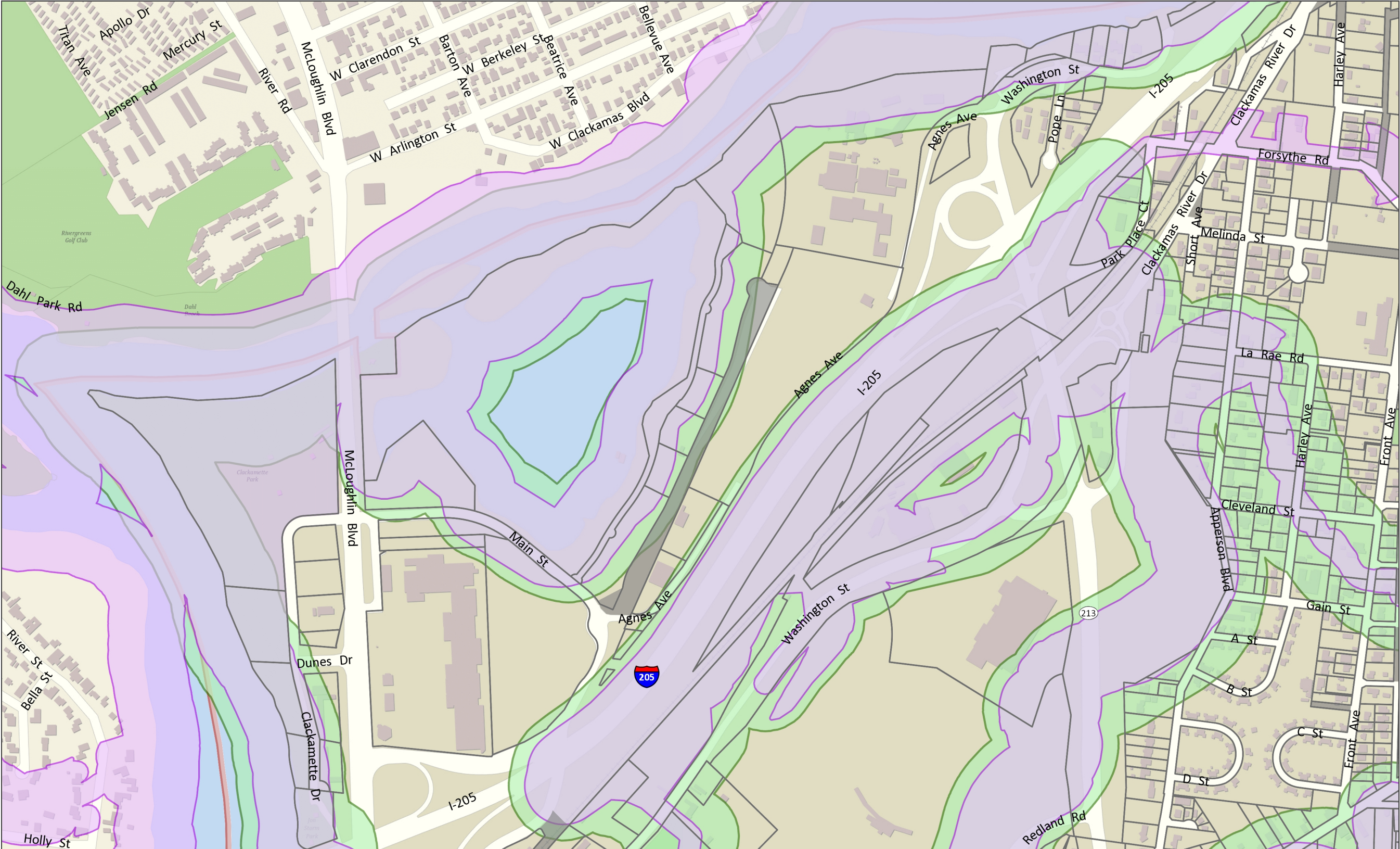


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Oregon City GIS Map



Legend

Taxlots

Unimproved ROW

NROD - Natural Resource Overlay Dist

Title 3 - Water Quality Resource Overlay

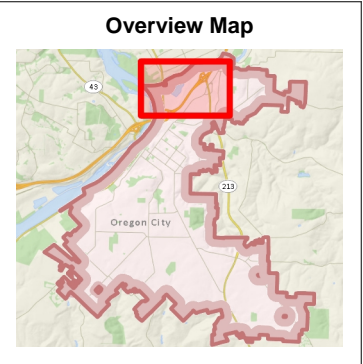
City Limits

UGB

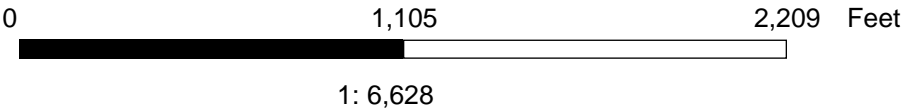
Basemap

Notes

Natural Resource Overlays



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