



January 25, 2019

Laura Terway
City of Oregon City
Community Development
698 Warner Parrott Road
Oregon City, OR 97045

Subject: Additional Adjustments and Clarifications to Adjustments 7 and 9 for the Cove CDP Amendment (MAS-18-00005)

Dear Laura:

In response to your email dated January 19, 2019 and following up on yesterday's project meeting, additional adjustments are requested by the applicant to be included with the authorizations under MAS-18-00005. These materials are provided for additional staff review and comment prior to the upcoming January 28 Planning Commission hearing. A brief description of additional adjustment requests, along with responses to applicable review criteria, are included below.

In addition, per the request of city staff, we have provided additional rationale for previously-requested adjustments 7 and 9. Clarification is provided to explain how the architectural designs comply with the intent of the standards being modified.

I. ADDITIONAL ADJUSTMENTS REQUESTED:

Requested Adjustment #14 – 17.52.060.D – Interior Parking Lot Landscaping.

- D. Interior Parking Lot Landscaping. Surface parking lots shall have a minimum ten percent of the interior of the gross area of the parking lot devoted to landscaping to improve the water quality, reduce storm water runoff, and provide pavement shade. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum total site landscaping required by Section 17.62.050(1) unless otherwise permitted by the dimensional standards of the underlying zone district. Pedestrian walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. Interior parking lot landscaping shall include:**
- a. A minimum of one tree per six parking spaces.**
 - b. Ground cover, such as wild flowers, spaced a maximum of sixteen-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.**
 - c. Shrubs spaced no more than four feet apart on average.**
 - d. No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them.**

Landscape strips shall be provided between rows of parking shall be a minimum of six feet in width and a minimum of ten feet in length.

- e. **Pedestrian walkways shall have shade trees spaced a maximum of every thirty-five feet in a 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.**

The lower level structured parking areas do not contain landscaping strips. However, these areas are blocked entirely from view as they are either located underneath buildings or screened by 10-foot retaining walls to the east and a mix of plantings to the west. Therefore, the lower level parking areas are not visible from the public streets or esplanade. Providing landscaping within the structured parking areas is not practicable due to shade and water issues.

Requested Adjustment #15 – 17.54.100.B.4 Fences and walls.

- B. Exception. Fence, hedge, wall, or other obstructing vegetation on retaining wall. When a fence, hedge, wall, or other obstructing vegetation is built on a retaining wall or an artificial berm that is not adjacent to or abutting a public right-of-way, the following standards shall apply:**
4. **An alternative height or location requirement may be approved within a land use process for all non-single-family and two-family residential properties. The fence, hedge or wall shall be compatible with the adjacent neighborhood and achieve the same intent of the zoning designation and applicable site plan and design review process. In no case may the fence, hedge or wall exceed eight feet in height without approval of a variance.**

Similar to Adjustment #1, which cross-references this standard, walls are not to exceed 8-feet in height. The proposed development contains walls in three locations that require a variance:

- Two approximately 9-foot retaining walls are proposed in front of Building D located at the southern end of Phase 2. The walls are necessary to prevent site development from encroaching into the public street. The site grades in this location are dictated by the requirement to elevate the finished floor of the structures above the city-regulated flood elevation, a requirement that requires substantial fill near Building D relative to the grade of Main Street.
- 10-foot tall retaining walls extend from the wings of Buildings B and C and are separate from the building walls. These walls are necessary to retain grades for the lower level parking areas and obscure the view of structured parking areas from the public right of way and pedestrian plazas. Landscaping will be provided in front of these walls.

- A 10-foot tall retaining wall is proposed between the Building A buildings and the esplanade; the wall exceeds the 8-foot maximum wall requirement, as shown on the Grading Plan – Center, Sheet C4.2. A 42-inch railing is proposed on top of the wall as shown on the Color Perspectives included in Exhibit O. This adjustment is necessary to ensure the buildings meet flood management requirements with the lowest finished floor elevated one foot above the floodplain in compliance with OCMC 17.42. Furthermore, the narrow lot configuration of the site necessitates that a retaining wall is located between the Building A buildings and the esplanade to prevent encroachment into the Natural Resources Overlay District (NROD).

II. APPLICABLE REVIEW CRITERIA:

D. Approval Criteria. A request for an adjustment to one or more applicable development regulations under this section shall be approved if the review body finds that the applicant has shown the following criteria to be met.

- 1. Granting the adjustment will equally or better meet the purpose of the regulation to be modified;**

Response: Requested Adjustment #14 – 17.52.060.D.d – Interior Parking Lot Landscaping.

The purpose of this regulation is to cool and shade parking areas, reduce stormwater impacts, and enhance and soften the appearance of parking lots.

- Due to the screening and shading of structured parking areas from the adjacent retaining walls and buildings, landscaping is not included in the lower level parking areas. These areas are screened by 10-foot retaining walls and a mix of plantings or located underneath buildings. The lower level parking areas are not visible from the public streets or esplanade. The buildings will provide shade, and low impact development approach (LIDA) stormwater filter strips will be installed along the outer perimeter of the lot. Therefore, the purpose of this regulation is equally met.

Requested Adjustment #15 – 17.54.100.B.4 Fences and walls.

The purpose of this regulation is to soften appearance of large, blank walls.

- Two approximately 9-foot retaining walls are proposed in front of Building D located at the southern end of Phase 2. The walls will be terraced to break up the vertical height. Landscaping will be included to screen the wall. The top wall will include a railing. Patterned detailing will be added to the face of the wall to break up the massing. Therefore, the purpose of this regulation is equally met.
- 10-foot tall retaining walls extend from the wings of Buildings B and C and are separate from the building walls. These walls are screened by landscaping. Therefore, the purpose of this regulation is equally met.
- A retaining wall is proposed between the Building A buildings and the esplanade that exceeds the 8-foot maximum wall requirement. A 42-inch

railing is proposed on top of the approximately 10-foot retaining wall as shown on the Color Perspectives included in Exhibit O. Landscaping will be provided to screen the wall. Therefore, the purpose of the regulation is equally met.

- 2. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project that is still consistent with the overall purpose of the zone;**

Response: In combination with the adjustments already approved for The Cove, the requested adjustments will not create a situation in which the cumulative requests are inconsistent with the purposes of the MUD zone. Per OCMC 17.34.010, the MUD district is intended to provide a mix of high-density residential, office and retail uses, with retail and service uses on the ground floor and office and residential uses on the upper floors. Pedestrian and transit use is encouraged through this mix of uses. The Cove project provides for an appropriate mix of land uses with ground floor commercial uses and high-density residential uses above. The requested adjustments will not preclude the ability to provide a mix of uses that engage the pedestrian nor preclude consistency with the purpose of the zone to encourage mixed uses, and pedestrian and transit access.

- 3. City-designated Goal 5 resources are protected to the extent otherwise required by Title 17;**

Response: Section 5 of the Oregon City Comprehensive Plan addresses Goal 5 resources. The OCMC provides overlay districts that implement this plan section. The proposed development site is not within a Historic District Overlay. The proposed development site includes areas within the NROD District, and a review is requested concurrent with this application. As evidenced by the NROD Report, the proposed Phase 2 development project has been designed in compliance with the standards defined in the applicable overlay districts. No requested adjustments are proposed within the NROD. Therefore, no impact to Goal 5 resources will occur as a result of the adjustments.

- 3. Any impacts resulting from the adjustment are mitigated; and**

Response: Requested Adjustment #14 – 17.52.060.D.d – Interior Parking Lot Landscaping.

- Due to the screening and shading of structured parking areas from the adjacent retaining walls and buildings, landscaping is not included in the lower level parking areas. These areas are screened by 10-foot retaining walls and a mix of plantings or located underneath buildings. The lower level parking areas are not visible from the public streets or esplanade. The buildings will provide shade, and low impact development approach (LIDA) stormwater filter strips will be installed on the outer perimeter of the lot. Therefore, the purpose of this regulation is equally met.

Therefore, any impacts resulting from the adjustment related to drainage, heat, and aesthetics will be mitigated.

Requested Adjustment #15 – 17.54.100.B.4 Fences and walls.

The purpose of this regulation is to soften appearance of large, blank walls.

- Two approximately 9-foot retaining walls are proposed in front of Building D located at the southern end of Phase 2. The walls will be terraced to break up the vertical height. Landscaping will be included to screen the wall. The top wall will include a railing. Patterned detailing will be added to the face of the wall to break up the massing. Therefore, any impact resulting from the adjustment will be mitigated.
- 10-foot tall retaining walls extend from the wings of Buildings B and C and are separate from the building walls. These walls are screened by landscaping. Therefore, any impact resulting from the adjustment will be mitigated.
- A 10-foot retaining wall is proposed between the Building A buildings and the esplanade that exceeds the 8-foot maximum terraced wall requirement. A 42-inch railing is proposed on top of the approximately 10-foot retaining wall as shown on the Color Perspectives included in Exhibit O. Landscaping will be provided to screen the wall, which mitigates any impact resulting from the adjustment.

4. **If an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable. (Ord. 03-1014, Att. B3 (part), 2003)**

Response: Proposed adjustments are not within an environmental zone. Therefore, there are no environmental impacts associated with the adjustments.

5. **The proposed adjustment is consistent with the Oregon City Comprehensive Plan and ancillary documents.**

Response: The proposed adjustments are consistent with the Oregon City Comprehensive Plan and ancillary document as outlined below:

Requested Adjustment #14 – 17.52.060.D.d – Interior Parking Lot Landscaping.

- The lower level parking areas do not contain interior parking lot landscaping. Therefore, an adjustment to this standard is requested.

Goal 2.1 Efficient Use of Land

- **Policy 2.1.3 Encourage sub-area master planning for larger developments or parcels, including re-development, where it may be feasible to develop more mixed uses, or campus-style industrial parks, with shared parking and landscaping areas. Allow developments to**

vary from prescriptive standards if planned and approved under this provision.

The proposed adjustment is consistent with this policy because it facilitates a large, cohesive project that spans across several tax lots but is essentially one development. The prescriptive standard here – that bays of eight contiguous surface parking spaces provide a landscape strip – is not appropriate for this type of parking area which is a minor projection of structured parking exempt from surface parking standards. Allowing an adjustment to the interior parking lot landscaping standard supports this policy to allow for efficient use of land.

Goal 7.1 Natural Hazards.

- **Policy 7.1.6 Encourage the use of land and design of structures that are relatively unaffected by the periodic effects of flooding, such as parking and other uses not normally occupied by humans.**

The requested adjustment to interior parking lot landscaping is consistent with this goal because they are necessary to elevate the human-occupied areas of the development above the 100-year floodplain and facilitate the tuck-under parking lots. The tuck-under parking areas will be within the 100-year floodplain, consistent with Policy 7.1.6 above.

Goal 2.2 Downtown Oregon City.

- **Policy 2.2.10 Develop the Clackamette Cove area through the implementation of the Oregon City Waterfront Master Plan to achieve a balance between the natural and built environments, including wildlife habitat, multi-family residential development, office and retail, and family recreation.**

The *Oregon City Waterfront Master Plan* (2002) referenced in the policy above calls for “returning Oregon City to its riverfront heritage” by promoting riverfront development in a way that enhances connections between downtown and the river and provides improved bicycle and pedestrian connections along the river. The plan also calls for development in the Cove, particularly new housing, to be oriented toward Clackamette Cove to “capitalize on the waterfront housing market and provide a community presence on the Cove.” The requested adjustment is consistent with this goal because it balances the desire to keep development close to, and oriented toward, the river with the need to manage the 100-year floodplain.

Requested Adjustment #15 – 17.54.100.B.4 Fences and walls.

Goal 7.1 Natural Hazards.

- **Policy 7.1.6 Encourage the use of land and design of structures that are relatively unaffected by the periodic effects of flooding, such as parking and other uses not normally occupied by humans.**

The requested adjustment to allow retaining walls that exceed 8 feet is consistent with this goal because these walls are necessary to elevate the human-occupied areas of the development above the 100-year floodplain and facilitate the tuck-under parking lots. The tuck-under parking areas will be within the 100-year floodplain, consistent with Policy 7.1.6 above.

Goal 2.2 Downtown Oregon City.

- **Policy 2.2.10 Develop the Clackamette Cove area through the implementation of the Oregon City Waterfront Master Plan to achieve a balance between the natural and built environments, including wildlife habitat, multi-family residential development, office and retail, and family recreation.**

The *Oregon City Waterfront Master Plan* (2002) referenced in the policy above calls for “returning Oregon City to its riverfront heritage” by promoting riverfront development in a way that enhances connections between downtown and the river and provides improved bicycle and pedestrian connections along the river. The plan also calls for development in the Cove, particularly new housing, to be oriented toward Clackamette Cove to “capitalize on the waterfront housing market and provide a community presence on the Cove.” The requested adjustment is consistent with this goal because it balances the desire to keep development close to, and oriented toward, the river with the need to manage the 100-year floodplain.

III. UPDATED CRITERIA RESPONSES FOR ADJUSTMENTS 7 AND 9:

Additional rationale for requested adjustments 7 and 9 is provided in this section and are provided below as excerpted from email correspondence from LRS Architects, the project architect. Updated criteria responses are provided that clarify how the architectural designs comply with the intent of the standards being modified.

Requested Adjustment #7 - 17.62.055.H(2) – Minimum Wall Articulation

- 2. Facades 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 facade and extending at least twenty percent of the length of the facade. No uninterrupted length of any facade shall exceed one hundred horizontal feet.**

For Buildings A1 and A2 the facade facing the public plaza is 129-feet long which would require articulation of 4-foot depth every 28 feet. The articulation on the whole facade occurs on intervals much less than 28 feet (from 12 to 25 feet) and the depth varies from 2 to 8 feet as shown on the Building Elevations in Exhibit A, Sheets 1 and 5.

For Buildings A1 and A2 the facade facing the street is 121-feet long which would require articulation of 4-foot depth every 24 feet. The articulation on the whole facade is as follows: 14 feet, 16 feet, 32 feet, 42 feet, 18 feet, and the depth is 2 or 2.5 feet.

(It should be noted that draft municipal code changes, if adopted later this year, will eliminate this requirement.)

Requested Adjustment #9 - 17.62.057.G – Architectural and Material Standards.

- **1a) Vertical building modulation. Minimum depth and width of modulation is thirty-six inches and four feet (respectively) if tied to a change in color or building**

material and/or roofline modulation. Otherwise, minimum depth of modulation is ten feet and minimum width for each modulation is fifteen feet.

Recessed balconies are being used to provide vertical modulation in lieu of dormers with windows. Balconies occur on all buildings' facades and are typically 6 feet deep and 11 feet wide.

- **1b) Horizontal modulation (upper level step-backs). The minimum horizontal modulation for buildings higher than two stories shall be five feet.**
All buildings have a foot wide "water table" extension that projects one foot outward from the building face and one foot above the street level. The corners of Buildings B and D step back 6 feet with additional roof articulation at those corners.
- **1c) Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.**

This requirement is met.

- **2) Buildings exceeding one hundred twenty feet in width along the street front shall be divided by a thirty-foot wide modulation of the exterior wall, so that the maximum length of a particular facade is one hundred twenty feet. Such modulation must be at least twenty feet or deeper and extend through all floors. The director will consider other design methods that are effective at reducing the perceived width of the building. Examples could include a combination of vertical and/or horizontal building modulation with a change in building materials or finishes, a clear change in building articulation and/or fenestration technique.**

The modulation of the facade of Buildings A is as outlined in Adjustment #7.

The street facade of Buildings B is as follows: from southeast end the facade is setback six feet for a length of 22 feet, steps forward for 48 feet, then is setback for 23 feet at a depth of six feet, then steps forward for 27 feet, then is setback for 38 feet at a 21-foot depth at the main entry. Facade elements longer than 30 feet are broken up into smaller elements on upper floors and use additional vertical modulation or change in building materials above the street level.

Buildings D street facade modulation is as follows: on Agnes Street from SE corner the facade is setback six feet for a length of 12 feet, then steps forward for 30 feet, then is setback six feet for a length of 10 feet, then steps forward for 37 feet, then steps back six feet for a length of 21 feet. Main Street facade from SE corner steps back six feet for length of 12 feet, then steps forward for 27 feet, then steps back six feet for a length of ten feet, then steps forward for a length of 12 feet, then is set back six feet for a length of 13 feet, and there is 20 feet of facade with a large column articulation in between.

3) Roofline standards C) 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).

Building A roofs change slope and shape in less than 40 feet width. Buildings B have

two roof elements that are 40 feet wide, the rest is under 40-foot width. Building D roofs have two areas with roof elements at 41-foot width, the rest is under 40-foot width.

(It should be noted that draft municipal code changes, if adopted later this year, will eliminate this requirement.)

D. Approval Criteria. A request for an adjustment to one or more applicable development regulations under this section shall be approved if the review body finds that the applicant has shown the following criteria to be met.

- 1. Granting the adjustment will equally or better meet the purpose of the regulation to be modified;**

Response: Requested Adjustment #7 - 17.62.055.H(2) – Minimum Wall Articulation

The purpose of this regulation is to add visual interest to the facade and avoid blank, uninterrupted walls. For Buildings A1 and A2 the facade facing the public plaza is 129-feet long which would require articulation of 4-foot depth every 28 feet. The articulation on the whole facade occurs on intervals much less than 28 feet (from 12 to 25 feet) and the depth varies from 2 to 8 feet as shown on the Building Elevations in Exhibit A, Sheets 1 and 5. Therefore, the purpose of this regulation is better met.

For Buildings A1 and A2 the facade facing the street is 121-feet long which would require articulation of 4-foot depth every 24 feet. The articulation on the whole facade is as follows: 14 feet, 16 feet, 32 feet, 42 feet, 18 feet, and the depth is 2 or 2.5 feet. Therefore, the purpose of the standard is equally met.

(It should be noted that draft municipal code changes, if adopted later this year, will eliminate this requirement.)

Requested Adjustment #9 - 17.62.057.G – Architectural and Material Standards.

The purpose of this regulation is to promote architectural variety and visual interest.

- ***1a) Vertical building modulation. Minimum depth and width of modulation is thirty-six inches and four feet (respectively) if tied to a change in color or building material and/or roofline modulation. Otherwise, minimum depth of modulation is ten feet and minimum width for each modulation is fifteen feet.***

Recessed balconies are being used to provide vertical modulation in lieu of dormers with windows. Balconies occur on all buildings' facades and are typically 6 feet deep and 11 feet wide. Therefore, the intent of the standard is equally met.

- **1b) Horizontal modulation (upper level step-backs). The minimum horizontal modulation for buildings higher than two stories shall be five feet.**

All buildings have a foot wide “water table” extension that projects one foot outward from the building face and one foot above the street level. Buildings B and D corners step back 6 feet with additional roof articulation at those corners as shown on the Building Elevations in Exhibit A, Sheets 2-4 and 6-7. Therefore, the purpose of this standard is equally met as visual relief is provided in the form of horizontal modulation.

- **1c) Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.**

This requirement is met.

- **2) Buildings exceeding one hundred twenty feet in width along the street front shall be divided by a thirty-foot wide modulation of the exterior wall, so that the maximum length of a particular facade is one hundred twenty feet. Such modulation must be at least twenty feet or deeper and extend through all floors. The director will consider other design methods that are effective at reducing the perceived width of the building. Examples could include a combination of vertical and/or horizontal building modulation with a change in building materials or finishes, a clear change in building articulation and/or fenestration technique.**

As shown on the Building Elevations in Exhibit A, Sheet 1, Buildings A street facade modulation is as outlined in Adjustment #7. This facade is 121-feet long and includes a 42-foot wide modulation, which exceeds the width component of this standard. The depth of the modulations vary from 2 to 2.5 feet. Overall, architectural variety and visual interest is achieved. Therefore, the purpose of this standard is equally met.

As shown on the Building Elevations in Exhibit A, Sheets 2-3, Buildings B street facade modulation is as follows: from southeast end the facade is setback six feet for a length of 22 feet, steps forward for 48 feet, then is setback for 23 feet at a depth of six feet, then steps forward for 27 feet, then is setback for 38 feet at a 21-foot depth at the main entry. Facade elements longer than 30 feet are broken up into smaller elements on upper floors and use additional vertical modulation or change in building materials above the street level. Therefore, a combination of vertical and horizontal elements equally met the purpose of the regulation.

As shown on the Building Elevations in Exhibit A, Sheet 4, Buildings D street facade modulation is as follows: on Agnes Street from SE corner the facade is setback six feet for a length of 12 feet, then steps forward for 30 feet, then is setback six feet for a length of 10 feet, then steps forward for 37 feet, then steps back six feet for a length of 21 feet. Main Street facade from SE corner steps back six feet for length of 12 feet, then steps forward for 27 feet, then steps back six feet for a length of ten feet, then steps forward for a length of 12 feet, then is set back six feet for a length of 13 feet, and there is 20 feet of facade with a large

column articulation in between. Therefore, a combination of horizontal elements equally meet the purpose of the regulation.

- **3) Roofline standards C) 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).**

Building A roofs change slope and shape in less than 40 feet width. Buildings B have two roof elements that are 40 feet wide, the rest is under 40-foot width. Building D roofs have two areas with roof elements at 41-foot width, the rest is under 40-foot width. Therefore, the roof design equally meets the purpose of the regulation.

(It should be noted that draft municipal code changes, if adopted later this year, will eliminate this requirement.)

2. **If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project that is still consistent with the overall purpose of the zone;**

Response:

In combination with the adjustments already approved for The Cove, the requested adjustments will not create a situation in which the cumulative requests are inconsistent with the purposes of the MUD zone. Per OCMC 17.34.010, the MUD district is intended to provide a mix of high-density residential, office and retail uses, with retail and service uses on the ground floor and office and residential uses on the upper floors. Pedestrian and transit use is encouraged through these uses. The Cove project provides for an appropriate mix of land uses with ground floor commercial uses and high-density residential uses above. The requested adjustments will not preclude the ability to provide a mix of uses that engage the pedestrian nor preclude consistency with the purpose of the zone to encourage mixed uses, and pedestrian and transit access.

3. **City-designated Goal 5 resources are protected to the extent otherwise required by Title 17;**

Response:

Section 5 of the Oregon City Comprehensive Plan addresses Goal 5 resources. The OCMC provides overlay districts that implement this plan section. The proposed development site is not within a Historic District Overlay. The proposed development site includes areas within the Natural Resource Overlay District, and a review is requested concurrent with this application. As evidenced by the NROD Report, the proposed Phase 2 development project has been designed in compliance with the standards defined in the applicable overlay districts. No requested adjustments are proposed within the NROD. Therefore, no impact to Goal 5 resources will occur as a result of the adjustments.

4. Any impacts resulting from the adjustment are mitigated; and

Response: Requested Adjustment #7 - 17.62.055.H(2) – Minimum Wall Articulation

For Buildings A1 and A2 the facade facing the public plaza is 129-feet long which would require articulation of 4-foot depth every 28 feet. The articulation on the whole facade occurs on intervals much less than 28 feet (from 12 to 25 feet) and the depth varies from 2 to 8 feet as shown on the Building Elevations in Exhibit A, Sheets 1 and 5. Therefore, any visual impact resulting from the adjustment are mitigated by more frequent intervals of articulation.

For Buildings A1 and A2 the facade facing the street is 121-feet long which would require articulation of 4-foot depth every 24 feet. The articulation on the whole facade is as follows: 14 feet, 16 feet, 32 feet, 42 feet, 18 feet, and the depth is 2 or 2.5 feet. Therefore, any visual impact resulting from the adjustment are mitigated shorter intervals of articulation.

(It should be noted that draft municipal code changes, if adopted later this year, will eliminate this requirement.)

Requested Adjustment #9 - 17.62.057.G – Architectural and Material Standards.

- ***1a) Vertical building modulation. Minimum depth and width of modulation is thirty-six inches and four feet (respectively) if tied to a change in color or building material and/or roofline modulation. Otherwise, minimum depth of modulation is ten feet and minimum width for each modulation is fifteen feet.***

Recessed balconies are being used to provide vertical modulation in lieu of dormers with windows. Balconies occur on all buildings' facades and are typically 6 feet deep and 11 feet wide. The balconies are tied to a change in building material, as decorative railings are provided as noted on the Building Elevations in Exhibit A, Sheets 5-7. Therefore, any visual impact resulting from the adjustment is mitigated.

- ***1b) Horizontal modulation (upper level step-backs). The minimum horizontal modulation for buildings higher than two stories shall be five feet.***

All buildings have a foot wide "water table" extension that projects one foot outward from the building face and one foot above the street level. Buildings B and D corners step back 6 feet with additional roof articulation at those corners as shown on the Building Elevations in Exhibit A, Sheets 2-4 and 6-7. Therefore, any visual impact is mitigated by "water table" extensions and additional roof articulation of Buildings B and D.

- ***1c) Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.***

This requirement is met.

- **2) Buildings exceeding one hundred twenty feet in width along the street front shall be divided by a thirty-foot wide modulation of the exterior wall, so that the maximum length of a particular facade is one hundred twenty feet. Such modulation must be at least twenty feet or deeper and extend through all floors. The director will consider other design methods that are effective at reducing the perceived width of the building. Examples could include a combination of vertical and/or horizontal building modulation with a change in building materials or finishes, a clear change in building articulation and/or fenestration technique.**

As shown on the Building Elevations in Exhibit A, Sheet 1, Buildings A street facade modulation is as outlined in Adjustment #7. This facade is 121-feet long and includes a 42-foot wide modulation, which exceeds the width component of this standard. The depth of the modulations vary from 2 to 2.5 feet, which does not meet this standard. Therefore, any visual impact resulting from the adjustment is mitigated by the width of the horizontal modulation.

As shown on the Building Elevations in Exhibit A, Sheets 2-3, Buildings B street facade modulation is as follows: from southeast end the facade is setback six feet for a length of 22 feet, steps forward for 48 feet, then is setback for 23 feet at a depth of six feet, then steps forward for 27 feet, then is setback for 38 feet at a 21-foot depth at the main entry. Facade elements longer than 30 feet are broken up into smaller elements on upper floors and use additional vertical modulation or change in building materials above the street level. Therefore, any visual impact resulting from the adjustment is mitigated by a combination of vertical and horizontal elements.

As shown on the Building Elevations in Exhibit A, Sheet 4, Buildings D street facade modulation is as follows: on Agnes Street from SE corner the facade is setback six feet for a length of 12 feet, then steps forward for 30 feet, then is setback six feet for a length of 10 feet, then steps forward for 37 feet, then steps back six feet for a length of 21 feet. Main Street facade from SE corner steps back six feet for length of 12 feet, then steps forward for 27 feet, then steps back six feet for a length of ten feet, then steps forward for a length of 12 feet, then is set back six feet for a length of 13 feet, and there is 20 feet of facade with a large column articulation in between. Therefore, any visual impact resulting from the adjustment is mitigated by a combination of horizontal elements.

- **3) Roofline standards C) 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).**

Building A roofs change slope and shape in less than 40 feet width. Buildings B have two roof elements that are 40 feet wide, the rest is under 40-foot width. Building D roofs have two areas with roof elements at 41-foot width, the rest is under 40-foot width. Multiple roof forms mitigate any visual impact resulting from the adjustment.

(It should be noted that draft municipal code changes, if adopted later this year, will eliminate this requirement.)

5. **If an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable. (Ord. 03-1014, Att. B3 (part), 2003)**

Response: Proposed adjustments are not within an environmental zone. Therefore, there are no environmental impacts associated with the adjustments. Related to Adjustment #9, light fixtures along the waterfront esplanade will be shielded to prevent glare into the adjacent NROD area.

6. **The proposed adjustment is consistent with the Oregon City Comprehensive Plan and ancillary documents.**

Response: The proposed adjustments are consistent with the Oregon City Comprehensive Plan and ancillary document as outlined below:

Requested Adjustment #7 - 17.62.055.H(2) – Minimum Wall Articulation, street-facing facades.

Goal 2.2 Downtown Oregon City.

- **Policy 2.2.10 Develop the Clackamette Cove area through the implementation of the Oregon City Waterfront Master Plan to achieve a balance between the natural and built environments, including wildlife habitat, multi-family residential development, office and retail, and family recreation.**

The *Oregon City Waterfront Master Plan* (2002) referenced in the policy above calls for “returning Oregon City to its riverfront heritage” by promoting riverfront development in a way that enhances connections between downtown and the river and provides improved bicycle and pedestrian connections along the river. The plan also calls for development in the Cove, particularly new housing, to be oriented toward Clackamette Cove to “capitalize on the waterfront housing market and provide a community presence on the Cove.” This adjustment is consistent because it focuses building articulation on the river-facing facades and the large public plaza proposed between the two “A” buildings. The plaza is intended as a main entrance into the development and ground floor retail stores will be oriented to the plaza and out toward the river.

Requested Adjustment #9 - 17.62.057.G – Architectural and Material Standards.

As shown on the building elevations included in Exhibit A, the facades of all the buildings have extensive articulation and modulation that exceeds horizontal requirements but are not as deep as the code requires. The buildings still provide a much greater variety of features than required. Therefore, the applicant requests an adjustment to this standard. *(It should be noted that draft municipal code changes, if adopted later this year, will eliminate this requirement.)*

Goal 2.1 Efficient Use of Land

- **Policy 2.1.3 Encourage sub-area master planning for larger developments or parcels, including re-development, where it may be feasible to develop more mixed uses, or campus-style industrial parks, with shared parking and landscaping areas. Allow developments to vary from prescriptive standards if planned and approved under this provision.**

The proposed adjustment is consistent with this policy because it facilitates a large, cohesive waterfront-oriented mixed-use project with shared parking and landscaped areas. The project's design, orientation and use of a variety of materials provides a rich variation in appearance, even though the prescriptive standard for facade depth is not met. Through the use of horizontal modulation, building materials, landscaping, plazas and other site features, the applicant is supporting the City's intent for integrated master planning of large sites. Consistent with this plan policy, the City can vary from prescriptive standards through site master planning as allowed through the CDP process.

Please let me know if you have any questions or need additional information. Thank you for your review.

Sincerely,



Mike Janusek
Land Use Planner

Attachment(s):

Cc: Read Stapleton, AICP
Mike Towle, PE